

SUPREME COURT CASE NO. _____

SUPREME COURT OF THE UNITED STATES

EMANUEL HIGUERA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**ON PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT,
COURT OF APPEAL CASE NO. 19-50169**

MOTION FOR LEAVE TO PROCEED IN *FORMA PAUPERIS*

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Appointed Under the Criminal Justice Act, 18 U.S.C. § 3006A(b)

Petitioner Emanuel Higuera, by his undersigned counsel, hereby requests leave to file the attached Petition for Writ of *Certiorari* without prepayment of costs and to proceed in *forma pauperis*. Petitioner was represented by counsel appointed in the United States Court of Appeals for the Ninth Circuit under the Criminal Justice Act, 18 U.S.C. § 3006A(b). This motion is brought pursuant to Rule 39.1 of the Rules of the Supreme Court of the United States.

Dated: April 19, 2023

Respectfully submitted,

s/Tony Faryar Farmani

Tony Faryar Farmani

Counsel for *Petitioner*

Emanuel Higuera