IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2022

KEVIN MILLER,

Petitioner,

- vs -

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to Title 18, United States Code, § 3006A(d)(6) and Rule 39 of this Court, Petitioner asks leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit without pre-payment of fees or costs and to proceed in forma pauperis.

Petitioner is represented by counsel appointed pursuant to the Criminal Justice Act of 1964, Title 18, United States Code, § 3006A(d)(6), as he was in his appeal to the Ninth Circuit Court of Appeals.

Respectfully submitted,

Dated: April 26, 2023

/s/ Gary P. Burcham

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