

NO. \_\_\_\_\_

**IN THE SUPREME COURT  
OF THE UNITED STATES OF AMERICA  
May 12, 2023 Term**

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<b>VICTOR ALFREDO BERMUDEZ</b>	§
	§
<b>Petitioner</b>	§
	§
<b>vs.</b>	§
	§
	§
<b>UNITED STATES OF AMERICA</b>	§
<b>Respondent</b>	§

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**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in forma pauperis for the following reasons:

The Petitioner has previously been granted leave to proceed in forma pauperis in both the District Court of the Northern District of Texas and the Fifth Circuit Court of Appeals. Petitioner's

affidavit or declaration is not attached because the court below appointed counsel in the current proceeding and a copy of the order of appointment is appended.

Respectfully submitted,

/s/ James P. Whalen

James P. Whalen

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**CJA COUNSEL OF RECORD FOR  
VICTOR ALFREDO BERMUDEZ**