

NO. _____

IN THE
SUPREME COURT OF THE UNITED STATES
OF AMERICA

JOHN WAYNE SPELL
Petitioner-Defendant

v.

UNITED STATES OF AMERICA
Respondent

On Petition for Writ of Certiorari from the
United States Court of Appeals for the Fifth Circuit.
Fifth Circuit Case No. 21-60878

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

Pursuant to Rule 39 and 18 U.S.C. § 3006A(d)(6), Petitioner John Wayne Spell requests leave to file the accompanying Petition for Writ of Certiorari from the United States Court of Appeals for the Fifth Circuit without prepayment of costs and to proceed in forma pauperis. Petitioner was represented by counsel appointed under the Criminal Justice Act, 18 U.S.C. § 3006A (b) and (c), in the United States District Court for the Southern District of Mississippi and on appeal to the United States Court of Appeals for the Fifth Circuit.

Respectfully submitted, May 15, 2023, by:



Michael L. Scott (MS Bar #101320)
Senior Litigator
Office of the Federal Public Defender
N. and S. Districts of Mississippi
200 South Lamar Street, Suite 200-N
Jackson, Mississippi 39201
Telephone: 601/948-4284
Facsimile: 601/948-5510
Email: mike_scott@fd.org

Attorney for Defendant-Petitioner