

No. _____

In the
Supreme Court of the United States

FOREST M. KIRST, Petitioner,

v.

UNITED STATES OF AMERICA, Respondent.

On Petition for Writ of Certiorari to the United States Court of
Appeal for the Ninth Circuit

Motion for Leave to Proceed in Forma Pauperis

Petitioner, through his appointed counsel, seeks leave to file the attached petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit, without prepayment of costs and to proceed *in forma pauperis*.

Counsel was appointed in the Court of Appeals pursuant to the Criminal Justice Act.

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This motion is brought pursuant to Rule 39 (1) of the Rules
of the Supreme Court of the United States.

Respectfully submitted,

DATE: May 22, 2023

By: s/ Gene D. Vorobyov

Supreme Court Bar
No. 292878
Counsel of Record
for Petitioner
FOREST M. KIRST