

No. \_\_\_\_\_

IN THE  
**SUPREME COURT OF THE UNITED STATES**

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NIDAL AYYAD,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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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*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court: United States District Court for the Southern District of New York.

Undersigned counsel was appointed to represent petitioner pursuant to the Criminal Justice Act of 1964, 18 U.S.C.A. §3006A by the Second Circuit Court of Appeals on May 24, 2020. A copy of the Order of Appointment is attached as Exhibit A.

Dated: Garden City, New York  
June 9, 2023



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Peter J. Tomao, Esq.  
Counsel for Petitioner-Defendant  
Nidal Ayyad

# Exhibit A

**UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 24th day of May, two thousand twenty-one.

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**ORDER**

United States of America,  
Appellee,

Docket No. 20-3832

v.  
Nidal Ayyad,  
Defendant - Appellant.

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IT IS HEREBY ORDERED that Peter J. Tomao, Law Office of Peter J. Tomao, 600 Old Country Road, Suite 328, Garden City, NY 11530, is assigned as counsel for Appellant pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A. Attorney Tomao is directed to review Local Rule 31.2 regarding procedures for setting the filing dates for the submission of briefs.

For the Court:  
Catherine O'Hagan Wolfe,  
Clerk of Court

  
Catherine O'Hagan Wolfe

EXHIBIT A