

IN THE
SUPREME COURT
OF THE UNITED STATES

EVANS SAMUEL SANTOS DIAZ,
Petitioner

v.

UNITED STATES OF AMERICA,
Respondents

On Petition for a Writ of *Certiorari* to the
United States Court of Appeals for the Third Circuit

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

HEIDI R. FREESE, ESQ.
Federal Public Defender
Middle District of Pennsylvania

FREDERICK W. ULRICH, ESQ.
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Counsel for Petitioner

June 29, 2023

Based on Rule 39 of the Rules of the Supreme Court of the United States, Petitioner, Evans Samuel Santos Diaz, requests leave to file the enclosed Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit without prepayment of costs and to proceed *in forma pauperis* based upon an appointment under the Criminal Justice Act, 18 U.S.C. § 3006A(d)(6). Pursuant to the Criminal Justice Act, the Federal Public Defender's Office was appointed to represent the Petitioner in the United States District Court for the Middle District of Pennsylvania and in the United States Court of Appeals for the Third Circuit.

Respectfully submitted,

HEIDI R. FREESE
Federal Public Defender

/s/ Frederick W. Ulrich
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Date: June 29, 2023