

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

FRANCISCO GUTIERREZ
Petitioner

v.

UNITED STATES OF AMERICA
Respondent

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

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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Petitioner Francisco Gutierrez, by his undersigned counsel, a member of the Bar of this Court, requests 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. Petitioner was represented by counsel appointed in the district court under the Criminal Justice Act, 18 U.S.C. § 3006A(b). This motion is brought pursuant to Supreme Court Rule 39.1

Dated: Aug. 27, 2023

Respectfully submitted,



Kenneth M. Miller
Counsel for Petitioner
Francisco Gutierrez