

No. 23-_____

SUPREME COURT OF THE UNITED STATES

Elvins Sylvestre,

Petitioner,

vs.

United States of America,

Respondent.

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

MOTION TO PROCEED IN FORMA PAUPERIS

William J. O'Neil
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Now comes the petitioner, Elvins Sylvestre, pursuant to Rule 39(1), who moves this Honorable Court for an order allowing him to proceed in forma pauperis in relation to his petition for a writ of certiorari.

As grounds therefore, counsel for the petitioner states that he was appointed to represent the petitioner pursuant to the Criminal Justice Act, 18 U.S.C. 3006A.

A copy of the order of the First Circuit Court of Appeals dated February 16, 2022 is attached hereto.

DATED this 26th day of September, 2023.

/s/ William J. O'Neil

William J. O'Neil

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United States Court of Appeals For the First Circuit

No. 22-1057

UNITED STATES,

Appellee,

v.

ELVINS SYLVESTRE,

Defendant - Appellant.

ORDER OF COURT

Entered: February 16, 2022
Pursuant to 1st Cir. R. 27.0(d)

Appellant's request for appointment of counsel on appeal is granted. Attorney William J. O'Neil is appointed as counsel for defendant-appellant under the guidelines of the Criminal Justice Act, 18 U.S.C. § 3006A nunc pro tunc to January 18, 2022.

By the Court:

Maria R. Hamilton, Clerk

cc:

Todd E. Newhouse
Donald Campbell Lockhart
Nicole Dapcic
William J. O'Neil