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IN THE  
SUPREME COURT OF THE UNITED STATES

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PHILLIP SERAPIO BACA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

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**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

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The Petitioner, Phillip Serapio Baca, by and through his court-appointed counsel, John C. Arceci, Assistant Federal Public Defender for the Districts of Colorado and Wyoming, respectfully requests that this Honorable Court grant leave to proceed *in forma pauperis* in petitioning for a Writ of Certiorari. In support of this request, Petitioner states that undersigned counsel was appointed pursuant to

the Criminal Justice Act, 18 U.S.C. § 3006A, by the United States Court of Appeals for the Tenth Circuit, and that he is unable to retain counsel and pay for costs attendant to the proceedings before this Honorable Court.

WHEREFORE, the Petitioner, Phillip Serapio Baca, respectfully requests that he be granted leave to proceed *in forma pauperis*.

Respectfully submitted,

VIRGINIA L. GRADY  
Federal Public Defender

/s/ John C. Arceci  
JOHN C. ARCECI  
Assistant Federal Public Defender  
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