

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

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In the

# Supreme Court of the United States

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SEAN OVERSTREET,

*Petitioner*

v.

United States of America,

*Respondent.*

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

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The Petitioner, Sean Overstreet, requests leave to file the above referenced Petition for Writ of Certiorari to the United States Supreme Court for the Second Circuit without prepayment of costs and to proceed *in forma pauperis* pursuant to Rule 39. The United States Court of Appeals for the Second Circuit appointed counsel, Robin C. Smith, Under the Criminal Justice Act of 1964, 18 U.S.C. Section 3006A, to represent Petitioner. Petitioner has remained incarcerated since the commencement of his case, and, on information and belief, is indigent.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on November 3, 2023

/s/ ROBIN C. SMITH, ESQ.  
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