

No. 23-_____

IN THE

Supreme Court of the United States

ERIC SPENCER,

Petitioner,

—v.—

UNITED STATES OF AMERICA,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE SECOND CIRCUIT

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

ANIRUDH BANSAL

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Counsel for Petitioner

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Pursuant to Supreme Court Rule 39, the Petitioner, ERIC SPENCER, by and through his court-appointed attorneys, requests that the Honorable Court grant him leave to proceed *in forma pauperis* in petitioning for a writ of *certiorari*. In support of this Motion, the Petitioner avers that:

Petitioner is unable to afford the cost of representation in this matter and proceeded below in the Southern District of New York and on appeal before the Second Circuit Court of Appeals with court-appointed counsel pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A.

Because of his continuing inability to afford counsel, and pursuant to 18 U.S.C. § 3006A, undersigned counsel represents the Petitioner in his petition before this Honorable Court.

WHEREFORE, the Petitioner, ERIC SPENCER, by and through undersigned counsel, respectfully requests that he be allowed to proceed *in forma pauperis* without payment of filing fees or service of notice fees.

Respectfully submitted this 7th day of November, 2023.

Respectfully submitted,
/S/ Anirudh Bansal
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CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States Supreme Court. I certify that all participants in the case will be served via Federal Express:

Elizabeth Prelogar,
Room 5616
Department of Justice
950 Pennsylvania Ave., N. W.,
Washington, DC 20530-0001

Attorney for Respondent

/s/ Anirudh Bansal
Anirudh Bansal
Counsel of Record

CERTIFICATE OF COMPLIANCE

This brief was prepared using Microsoft Word. According to the word count done using that program, this motion contains 164 words total. This brief was written using the Century Schoolbook font, a proportionally-spaced typeface with serifs, in 12-point font size.

This brief complies with the type-volume limitation, typeface requirements, and type style requirements of Fed. R. App. P. 32(a). In addition, I have scanned the brief for viruses and believe it to be virus-free.

Dated: November 7, 2023

/s/ Anirudh Bansal
Anirudh Bansal
Counsel of Record