

IN THE SUPREME COURT OF THE UNITED STATES

LUIS OLIVARES, )  
Petitioner – Appellant, )  
 )  
v. ) No. \_\_\_\_\_  
 )  
UNITED STATES OF AMERICA, )  
Respondent – Appellee. )

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

COMES NOW, the Petitioner, Luis Olivares, and pursuant to Sup. Ct. Rule 39, moves for leave to proceed *in forma pauperis*.

- 1) United States District Court Judge Jeffery Viken determined Mr. Olivares indigent on And appointed Mr. Kolbeck under the provisions of 18 U.S.C. §3006A.
- 2) Mr. Oliveres remains indigent and wishes to pursue a writ of certiorari from this Court to the United States Eighth Circuit Court of Appeals, which affirmed, in a published opinion, Mr. Olivares' judgment on May 23, 2022.
- 3) As the District Court for South Dakota and the United States Court of Appeals for the Eighth Circuit appointed counsel for Mr. Olivares, an indigent party, no affidavit or declaration by Mr. Olivares is required pursuant to Sup. Ct. Rule 39(1).

WHEREFORE, Mr. Olivares, through undersigned counsel, request that this Honorable Court allow him to proceed *in forma pauperis* and that Mr. Ryan Kolbeck continue to represent him.

Dated this 9<sup>th</sup> day of November, 2023.

Respectfully submitted,

/s/ Ryan Kolbeck

Ryan Kolbeck  
Kolbeck Law Office  
\*Counsel of Record