

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

**IN THE  
SUPREME COURT OF THE UNITED STATES**

October Term, 2023  
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**GEORGE OSCAR MESSER**

*Petitioner,*

**v.**

**UNITED STATES OF AMERICA,**

*Respondent*  
-----

**PETITION FOR WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF  
APPEALS FOR THE SIXTH CIRCUIT**  
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**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**  
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Pursuant to Title 18, United States Code § 3006A(d)(6) and Rule 46 of this Court, Petitioner George Oscar Messer, asks leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Sixth Circuit without prepayment of fees or costs and to proceed *in forma pauperis*.

Petitioner was represented by counsel appointed pursuant to Title 18, United States Code § 3006A on appeal to the Sixth Circuit Court of Appeal.

Dated: November 15, 2023

Respectfully submitted,

By: /s/ Robert L. Abell

ROBERT L. ABELL

120 North Upper Street

Lexington, KY 40507

859-254-7076

Robert@RobertAbellLaw.com

COUNSEL FOR PETITIONER

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

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SUPREME COURT OF THE UNITED STATES

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GEORGE OSCAR MESSER

*Petitioner,*

**V.**

UNITED STATES OF AMERICA,

*Respondent*

## PROOF OF SERVICE

COMMONWEALTH OF KENTUCKY )  
 )  
COUNTY OF FAYETTE )

ROBERT L. ABELL, being duly sworn, affirms and states:

That he has filed in advance of the date below indicated with the Clerk of the Supreme Court of the United States an application for admission to the Bar of the Supreme Court of the United States;

That on November 15, 2023, the petition for writ of certiorari and the foregoing motion for leave to proceed *forma pauperis* in the above-entitled case was deposited in a United States Post Office mail box located in Lexington, Kentucky, with first class postage prepaid, properly addressed to the Clerk of

the Supreme Court of the United States and within the time allowed for filing said petition for writ of certiorari;

That an additional copy of the motion and this affidavit of the proof of mailing of the motion was served on counsel for respondent:

Solicitor General of the United States  
Room 5614, Dept. of Justice  
950 Pennsylvania Ave., N.W.  
Washington, DC 20530-0001

Dated at Lexington, Kentucky, this 15th day of November 2023.



Robert L. Abell, Affiant

Subscribed and sworn before me by Robert L. Abell this 15 day of November 2023.

My commission expires:

7/1/2024



Notary Public