

IN THE SUPREME COURT OF THE UNITED STATES

RONELL WHITEHEAD,

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 Third Circuit

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MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to 28 U.S.C. § 1915 and this Court's Rule 39.1, the petitioner, above named, moves for leave to proceed *in forma pauperis*. In support of his motion, he states:

1. This proceeding is a petition for a writ of certiorari to review the judgment and opinion of the United States Court of Appeals for the Third Circuit, filed on November 29, 2022, affirming the petitioner's convictions and sentence in a federal criminal case. *See* Pet. Appx. A.

2. On October 7, 2014, a United States Magistrate Judge appointed counsel for the petitioner under the Criminal Justice Act, 18 U.S.C. § 3006A(c). *See* Dkt. Entry 129 (E.D.Pa. Dkt. No. 2:14-CR-323-06). Petitioner was represented by that attorney through sentencing. At the expense of some of petitioner's family and friends (but with no financial contribution from

petitioner personally), the undersigned was retained to represent him on appeal, and did so through the rehearing phase. At petitioner's request, undersigned counsel has prepared the attached petition at no additional cost, that is, without fee (anticipating reimbursement of direct expenses only).

3. Petitioner has remained incarcerated continuously since his arrest on Sept. 26, 2014. *See* Dkt. Entries 68, 141, 165 (E.D.Pa. Dkt. No. 2:14-CR-323-06) (return of warrant, order for temporary detention, final order of detention). He is presently confined in a federal correctional institution (Federal Prison Register No. 71656-066) serving the sentence that was imposed in this case. Petitioner's personal financial condition has only worsened in the ensuing decade, and he is therefore unable to pay any of the costs or fees associated with this petition.

4. Pursuant to 18 U.S.C. § 3006A(d)(7) and this Court's Rule 39.1, no affidavit of poverty is attached.

WHEREFORE, the petitioner prays that this Court grant him leave to proceed *in forma pauperis*.

Dated: November 16, 2023

Respectfully submitted,

By: PETER GOLDBERGER
50 Rittenhouse Place
Ardmore, PA 19003-2276

(610) 649-8200

Counsel for the Petitioner