

No. _____

In the Supreme Court of the United States

FIDEL GUTIERREZ-GARCIA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

On Petition for Writ of Certiorari to the United States Court of Appeals for
the Fifth Circuit

Motion for Leave to Proceed in Forma Pauperis

Petitioner, Fidel Gutierrez-Garcia, by and through his undersigned attorney, and in accordance with Supreme Court Rule 39.1 and Title 18, Section 3006A(d)(7), of the United States Code moves this Court for leave to proceed *in forma pauperis*, and for leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit without prepayment of fees. Petitioner was represented by appointed counsel under the Criminal Justice Act of 1964, as amended, in the district court and in the court of appeals. 18 U.S.C. § 3006A(b) and (d)(7).

Respectfully submitted,
/s/ Shane O'Neal
Counsel of Record for Petitioner

Dated: December 12, 2023.