

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

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In The  
Supreme Court of the United States

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JAVIER GARIBAY MENDOZA,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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**On Petition for a Writ of Certiorari  
to the United States Court of Appeals  
for the Ninth Circuit**

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**MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

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Pursuant to 18 U.S.C. § 3006A and Supreme Court Rule 39, the Petitioner, Javier Garibay Mendoza, asks for leave to file a Petition for Writ of Certiorari to the U.S. Court of Appeals for the Ninth Circuit without pre-payment of fees or costs and to proceed *in forma pauperis*. The Petitioner was represented by counsel appointed pursuant to 18 U.S.C. § 3006A in the district court and on appeal to the Court of Appeals for the Ninth Circuit.

Respectfully submitted,



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