

No.

IN THE

SUPREME COURT OF THE UNITED STATES

ALAN OSTERHOUDT, JR.,
Petitioner,

v.

RICKY D. DIXON,
SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,
Respondent.

**On Petition for Writ of Certiorari
to the Eleventh Circuit Court of Appeals**

MOTION TO PROCEED *IN FORMA PAUPERIS*

MICHAEL UFFERMAN
Michael Ufferman Law Firm, P.A.
2022-1 Raymond Diehl Road
Tallahassee, Florida 32308
(850) 386-2345
FL Bar No. 114227
Email: ufferman@uffermanlaw.com

COUNSEL FOR THE PETITIONER

The Petitioner, ALAN OSTERHOUDT, JR., prays the Court for leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. The Petitioner's indigency affidavit is not included with this motion because undersigned counsel has not received the affidavit back from the Petitioner.¹ Undersigned counsel notes that the Petitioner filed a petition for a writ of certiorari in 2017 (No. 17-5059) and the Petitioner's indigency affidavit was included with that petition. Undersigned counsel will submit an amended motion to proceed *in forma pauperis* with the completed indigency affidavit as soon as undersigned counsel receives the affidavit from the Petitioner (through the prison mail system).

Respectfully submitted,

/s/ Michael Ufferman
MICHAEL UFFERMAN
Michael Ufferman Law Firm, P.A.
2022-1 Raymond Diehl Road
Tallahassee, Florida 32308
(850) 386-2345
FL Bar No. 114227
Email: ufferman@uffermanlaw.com

COUNSEL FOR THE PETITIONER

¹ Undersigned counsel's office sent the affidavit several weeks ago, and undersigned counsel was hopeful that he would have received the affidavit by the date that this motion is being filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing instrument was furnished to:

Office of the Attorney General
444 Seabreeze Boulevard, Suite 500
Daytona Beach, Florida 32118

by U.S. mail delivery on this 3rd day of January, 2024.

Respectfully submitted,

/s/ Michael Ufferman
MICHAEL UFFERMAN
Michael Ufferman Law Firm, P.A.
2022-1 Raymond Diehl Road
Tallahassee, Florida 32308
(850) 386-2345
FL Bar No. 114227
Email: ufferman@uffermanlaw.com

COUNSEL FOR THE PETITIONER