

No. _____

In the
Supreme Court of the United States

SCHYLER ALGERNON SMITH
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

NOW COMES the Petitioner, Schyler Algernon Smith, by and through the undersigned attorney, and, pursuant to Rule 39.1, Supreme Court Rules, and Title 18, United States Code, § 3006A(d)(6), respectfully moves this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit without prepayment of fees. Leave to proceed *in forma pauperis* was sought and granted for the Petitioner in the district court. The Court of Appeals appointed counsel to represent the Petitioner under the Criminal Justice Act.

/s/Christopher A. Aberle
Christopher A. Aberle
Counsel of record for Petitioner