

No:\_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

---

RICHARD DANIEL,

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

---

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

---

Petitioner, Richard Daniel, pursuant to Sup. Ct. R. 39.1, respectfully moves for leave to file the accompanying Petition for a Writ of Certiorari in the Supreme Court of the United States without payment of costs and to proceed *in forma pauperis*.

Petitioner was previously found financially unable to obtain counsel and the Federal Public Defender of the Southern District of Florida was appointed to represent Petitioner pursuant to 18 U.S.C. § 3006A. Therefore, in reliance upon Rule 39.1 and § 3006A(d)(7), Petitioner has not attached the affidavit which would otherwise be required by 28 U.S.C. § 1746.

MICHAEL CARUSO  
Federal Public Defender

Miami, Florida  
January 25, 2024

By: **s/ Andrew S. Jacobs**  
Andrew S. Jacobs  
Assistant Federal Public Defender  
150 W. Flagler St., Ste. 1700  
Miami, FL 33130  
305-533-4201