

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

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IN THE  
**Supreme Court of the United States**

GERARDO ORTIZ,

*Petitioner,*

v.

SECRETARY OF CORRECTIONS, CDCR,

*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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Petitioner, by his undersigned counsel, asks leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit without prepayment of costs and to proceed in forma pauperis. Petitioner was represented by counsel in the Ninth Circuit under the Criminal Justice Act, 18 U.S.C. § 3006A(b).

This motion is brought pursuant to Rule 39.1 of the Rules of the Supreme Court of the United States.

Respectfully submitted,

CUAUHTEMOC ORTEGA  
Federal Public Defender

Dated: February 9, 2024

By: Emily J.M. Groendyke  
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