

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

IN THE SUPREME COURT OF THE UNITED STATES

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WARREN LEE MACKEY,

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

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

Petitioner Warren Lee Mackey, by and through his attorney, Richard H. McWilliams, who was previously appointed under the Criminal Justice Act by the United States Court of Appeals for the Eighth Circuit, moves this Court for an Order allowing him to proceed *in forma pauperis* on this petition for writ of certiorari. Pursuant to Rule 39.1 of this Court and 18 U.S.C. §3006A(d)(6), Petitioner is not required to submit the affidavit described in 28 U.S.C. §1915(a) and prescribed in Form 4 of the Federal Rules of Appellate Procedure.

Respectfully submitted,

WARREN LEE MACKEY, Petitioner,

By: Richard H. McWilliams

**RICHARD H. McWILLIAMS**

**Assistant Federal Public Defender**

222 South 15<sup>th</sup> Street, Suite 300N

Omaha, NE 68102

(402) 221-7896

fax: (402) 221-7884

e-mail: rich\_mcwilliams@fd.org

### **CERTIFICATE OF SERVICE**

THE UNDERSIGNED hereby affirms that a true and exact copy of the foregoing Motion for Leave to Proceed *in Forma Pauperis* was duly served, by regular United States mail, postage prepaid on the 15th day of February, 2024, upon the following parties:

Elizabeth Prelogar  
United States Solicitor General  
Room 5614, Department of Justice  
950 Pennsylvania Avenue N.W.  
Washington, DC 20530

Lecia Wright  
Assistant United States Attorney  
1620 Dodge Street  
Suite 1400  
Omaha, NE 68102-1506

Susan Lehr  
United States Attorney  
1620 Dodge Street  
Suite 1400  
Omaha, NE 68102-1506

s/ Richard H. McWilliams