

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

WARREN LEE MACKEY,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

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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:

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s/ Richard H. McWilliams