
In the
Supreme Court of the United States
October Term, 2023

Jose Caban,
Petitioner,
v.

United States of America,
Respondent.

**ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT
OF APPEALS FOR THE SECOND CIRCUIT**

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The Petitioner, Jose Caban, requests leave to file the annexed Petition for a Writ of Certiorari to the United States Supreme Court for the Second Circuit without prepayment of costs and to proceed *in forma pauperis* pursuant to Rule 39. The United States Court of Appeals for the Second Circuit appointed counsel, Robin C. Smith, under the Criminal Justice Act of 1964, 18 U.S.C. Section 3006A, to represent Petitioner. Petitioner has remained incarcerated since the commencement of his case, and, on information and belief, is indigent.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 2, 2024
 Mill Valley, California



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