

Docket Number _____

IN THE SUPREME COURT OF THE UNITED STATES OF AMERICA

BRENDON GARNER,

Petitioner,

V.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in forma pauperis.

[X] Petitioner has previously been granted leave to proceed in forma pauperis in the following court(s): United States District Court for the Southern District of West Virginia; United States Court of Appeals for the Fourth Circuit.

[] Petitioner has not previously been granted leave to proceed in forma pauperis in any other court.

Petitioner's affidavit or declaration in support of this motion is not attached hereto. An affidavit or declaration is not required pursuant to Rule 39 (1) of the Rules of the Supreme Court of the United States because both the district court

and court of appeals appointed counsel for petitioner under 18 U.S.C. § 3006(A).

Respectfully submitted this 21st Day of May, 2024

BRENDON GARNER

By Counsel

S// David Schles

David O. Schles
Law Office of David Schles
815 Quarrier Street, Suite 306
Charleston, West Virginia 25301
Telephone: (304) 344-1559
Facsimile: (304) 344-2339
Counsel For Petitioner, Brendon Garner