

No. 24- _____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM,

ANTHONY BENDER,

Petitioner,

VS.

UNITED STATES OF AMERICA

Respondents.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

I, Bart E. Beals, appointed counsel for the petitioner seeks 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): U.S District Court and U.S. Court of Appeals, Seventh 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 attached hereto.


(Signature)

**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

I, Bart E. Beals, court appointed counsel for Anthony Bender, who is serving a sentence of ninety-six (96) months in the U.S. Bureau of Prisons, is the petitioner on behalf of Mr. Ortega-Galvan in the above-entitled case. In support of my motion to proceed without being required to prepay fees, costs or give security therefor, I state that because of my client's poverty he is unable to pay the costs of this case or to give security therefor; and I believe he is entitled to redress.

I further swear that the responses I have made to the questions and instructions below relating to my client's ability to pay the cost of proceeding in this Court are true.

1. Are you presently employed? No.
2. Have you received within the past twelve months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, or other sources? No.
3. Do you own any cash or have a checking or savings account? No.
4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? No.
5. List the persons who are dependent upon you for support and state your relationship to those persons.

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



(Signature)