

No.

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2024

MARC ANTHONY COLON, *Petitioner*,

v.

NETHANANJAH BREITENBACH, et al., *Respondents*.

MOTION TO PROCEED IN FORMA PAUPERIS

Pursuant to Title 18, United States Code § 3006A(d)(7) and Rule 39 of this Court, Petitioner Marc Anthony Colon seeks leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit without prepayment of fees and costs and to proceed *in forma pauperis*. Petitioner, who is currently serving a state prison sentence of life without the possibility of parole, was represented on appeal to the U.S. Court of Appeals for the Ninth Circuit by undersigned counsel, who was appointed counsel pursuant to an order of that Court under 18 U.S.C. § 3006A(a)(2)(B), (b), (d)(7).

Dated: August 20, 2024

Respectfully submitted,

/s/ Mark D. Eibert
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