

No. \_\_\_\_\_

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**In the Supreme Court of the United States**

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DAVID HOUSTON VARGAS,

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondents.*

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**On Petition for Writ of Certiorari  
to the United States Supreme Court  
for the Tenth Circuit**

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**MOTION TO LEAVE TO PROCEED *IN FORMA PAUPERIS***

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The Petitioner, David Houston Vargas, by and through his court-appointed counsel, Jessica Stengel, respectfully requests this Honorable Court for leave to proceed *in forma pauperis* in filing the attached Petition for Writ of Certiorari. In support of this request, Petitioner states that undersigned counsel was appointed pursuant to the Criminal Justice Act of 1964, 18 U.S.C. § 3006A, by the United States Court of Appeals for the Tenth Circuit, and he is unable to retain counsel and pay for the costs attendant to the proceedings before the Honorable Court.

WHEREFORE, the Petitioner, David Houston Vargas, respectfully requests that he be granted leave to proceed *in forma pauperis*.

Respectfully submitted,

/s/ Jessica Stengel

Jessica Stengel

Assistant Federal Public Defender

*Counsel of Record for Petitioner*

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