

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

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In the  
Supreme Court of the United States

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**David Devaney, Jr.,**

*Petitioner,*

v.

**United States of America,**

*Respondent.*

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

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Petitioner, David Devaney, Jr., pursuant to Rule 39 and 18 U.S.C. § 3006A(d)(7), asks leave to file the accompanying Petition for Writ of Certiorari to the United States Supreme Court without prepayment of costs and to proceed *in forma pauperis*. Petitioner was appointed by the Fifth Circuit under the Criminal Justice Act to represent Petitioner on direct appeal in the United States Court of Appeals for the Fifth Circuit.

Respectfully Submitted,

**MATTHEW J. SMID**  
**Law Office of Matthew J. Smid,**  
**PLLC**

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