

No. 24-

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IN THE  
SUPREME COURT OF THE UNITED STATES

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Azibo Aquart — PETITIONER  
(Your Name)

VS.

United States — RESPONDENT(S)

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*.

Please check the appropriate boxes:

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

United States Court of Appeals for the Second Circuit

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☐ 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.

☒ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☒ The appointment was made under the following provision of law: \_\_\_\_\_  
the Criminal Justice Act (CJA) \_\_\_\_\_, or

☒ a copy of the order of appointment is appended.

/s/ Tobias Loss-Eaton

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(Signature)

**UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT**

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At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 3rd day of January, two thousand and thirteen.

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United States of America,

Appellee,

v.

Azibo Aquart, AKA D., AKA Dreddy, AKA  
Jumbo, AKA Azibo Smith, AKA Azibo  
Siwatu Jahi Smith,

Defendant - Appellant.

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**ORDER**

Docket No. 12-5086

IT IS HEREBY ORDERED Beverly Van Ness, Esq., 15 Maiden Lane, Suite 1500, New York, NY 10038 and Barry Fisher, Esq., Federal Public Defenders Office, Northern District of New York, 39 North Pearl Street, Albany, New York 12207, are appointed as counsel for the Appellant Azibo Aquart under the Criminal Justice Act. Ms. Van Ness and Mr. Fisher are directed to review Local Rule 12.2 regarding the filing of Form B and Local Rule 31.2 regarding procedures for setting the filing dates for the submission of briefs.

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

A circular official seal of the United States Court of Appeals for the Second Circuit is stamped over the signature. The seal contains the text "UNITED STATES", "SECOND CIRCUIT", and "COURT OF APPEALS".