

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

JUSTIN RIVERA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.


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*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court: United States District Court for the Southern District of New York.

Undersigned counsel was appointed to represent petitioner pursuant to the Criminal Justice Act of 1964, 18 U.S.C.A. §3006A by the Second Circuit Court of Appeals on November 11, 2022. A copy of the Order of Appointment is attached as Exhibit A.

Dated: Garden City, New York
November 20, 2024


Peter J. Tomao, Esq.
CJA Counsel for Petitioner-Defendant
Justin Rivera

ORIGINAL

Exhibit A

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

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 10th day of November, two thousand twenty-two.

United States of America,

ORDER

Appellee,

Docket No. 22-2780

v.

Justin Rivera, AKA Sealed Defendant 2,

Defendant - Appellant.

Anthony Cecutti moves to be relieved as counsel for the Appellant.

IT IS HEREBY ORDERED that the motion to be relieved is GRANTED. Peter J. Tomao, 600 Old Country Road, Suite 328, Garden City, NY 11530, is assigned as new counsel pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A. Attorney Tomao is directed to review 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

**United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007**

DEBRA ANN LIVINGSTON
CHIEF JUDGE

Date: November 10, 2022

Docket #: 22-2780

Short Title: United States of America v. Lorenzo (Rivera)

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

DC Docket #: 1:19-cr-131-2

DC Court: SDNY (NEW YORK
CITY)

DC Judge: Engelmayer

NOTICE of the APPOINTMENT of CJA COUNSEL

This Court has appointed counsel to represent you in your appeal pursuant to the Criminal Justice Act. Appointed counsel is:

Name: Peter J. Tomao

Firm: Peter J. Tomao, Esq.

Address: 600 Old Country Road, Suite 328, Garden City, NY 11530

Phone No: (516) 877-7015

Please see the enclosed copy of this court's order of appointment.

Please direct all future correspondence and other communications to your appointed counsel.

Inquiries regarding this case may be directed to 212-857-8503.

Prepared by PrintingHouse Press, Ltd. 10 East 39th Street, New York, NY 10016

Tel No: (212) 719-0990 Fax No: (212) 398-9253

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS

Willie Addison, Being duly sworn, deposes and says that deponent is not party to the action, and is over 18 years of age.

That on 11/20/2024 deponent caused to be served 1 copy(s) of the within

Motion for Leave to Proceed In Forma Pauperis

upon the attorneys at the address below, and by the following method:

By Overnight Delivery

U.S. ATTORNEY'S OFFICE,
SOUTHERN DISTRICT OF NY
1 St. Andrew's Plaza
New York, NY 10007
Phone: 212-637-2200

By Overnight Delivery

Elizabeth B. Prelogar
OFFICE OF THE U.S.
SOLICITOR GENERAL
950 Pennsylvania Avenue, NW
Washington, DC 20530
Phone: 202-514-2203



Sworn to me this

Wednesday, November 20,
2024

KEVIN AYALA
Notary Public, State of New York
No. 01AY6207038
Qualified in New York County
Commission Expires 7/13/2025



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