

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

DAVID LYNN GRIFFITH,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to Rule 39 of the Rules of the Supreme Court of the United States, Petitioner David L. Griffith asks leave to file the enclosed Petition for Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit without prepayment of costs to proceed *in forma pauperis* pursuant to an appointment under the Criminal Justice Act, 18 U.S.C. § 3006A. Pursuant to the Criminal Justice Act, the undersigned was appointed to represent the Petitioner in the United States District Court for the Middle District of Pennsylvania and the Court of Appeals for the Third Circuit. Leave to proceed *in forma pauperis* has not been sought in any other court.

Respectfully submitted,

MIELE & RYMSZA, P.C.

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