

No. \_\_\_\_\_  
(CAPITAL CASE)

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IN THE  
**Supreme Court of the United States**

OBEL CRUZ-GARCIA,

*Petitioner,*

v.

ERIC GUERRERO, DIRECTOR, TEXAS DEPT. OF CRIMINAL JUSTICE,  
CORRECTIONAL INSTITUTIONS DIVISION

*Respondent.*

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ON PETITION FOR A WRIT OF CERTIORARI TO  
THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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

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Counsel for Petitioner  
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## **MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

Pursuant to Rule 39 of the Rules of the Supreme Court of the United States, Petitioner Obel Cruz-Garcia asks leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit without payment of costs and to proceed in forma pauperis. In support of the request, Petitioner states the following:

1. The Petition for Writ of Certiorari in the form prescribed by Rule 14 of the Rules of this Court, with Appendices attached, is submitted for filing along with this Motion.
2. Petitioner has previously been granted leave to proceed in forma pauperis in the following courts:

The State Courts of Texas

The United States District Court for the Southern District of Texas (No. 4:17-cv-3621)

The United States Court of Appeals for the Fifth Circuit (No. 24-70003)

3. Counsel was appointed to represent Petitioner pursuant to 18 U.S.C. § 3599(a)(2) on December 20, 2017.
4. Petitioner's affidavit or declaration is not attached because the court below appointed counsel in the current proceeding.

Respectfully submitted,

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