

No. _____
(CAPITAL CASE)

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.

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

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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Assistant Federal Public Defenders

Counsel for Petitioner
**Counsel of record*

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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