

No. _____

In the Supreme Court of the United States

MICHAEL CARDONA,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

**On Petition for Writ of Certiorari to the
United States Court of Appeals for the Fifth Circuit**

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

TO THE HONORABLE SUPREME COURT OF THE UNITED STATES:

NOW COMES Petitioner **MICHAEL CARDONA** and, pursuant to Sup. Ct. R. 39 and 18 U.S.C. § 3006A(d)(7), prays for leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit without prepayment of costs and to proceed *in forma pauperis*. Petitioner was represented by retained counsel at trial, however appellate counsel was appointed by the District Court under the Criminal Justice Act, 18 U.S.C. § 3006A(c). A copy of the order appointing appellate counsel set forth in the Appendix to the Petition. (Pet. App. 74a)

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully prays that the Court grant this motion in all respects.

Respectfully submitted on this, the 1st day of January, 2018.

/s/ John A. Peralta

JOHN A. PERALTA

(Counsel of Record)

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Counsel for Petitioner

(Criminal Justice Act)

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been served on all required parties to this proceeding in accordance with Sup. Ct. R. 29.5.

I further certify that a true and correct copy of the foregoing Motion to Proceed *In Forma Pauperis* has been served on the Hon. Noel Francisco, Solicitor General of the United States, Office of the Solicitor General, Room 5614, United States Department of Justice, 950 Pennsylvania Ave., N.W., Washington, DC 20530-0001, via the United States Postal Service and via the Court's electronic filing system, on this, the 1st day of January, 2018.

I further certify that a true and correct copy of the foregoing Motion to Proceed *In Forma Pauperis* has been served on the Petitioner, Mr. Michael Cardona, Register No. 36117-380, Forrest City Medium FCI, 1400 Dale Bumpers Road, Forrest City, AR 72335, via the United States Postal Service, on this, the 1st day of January, 2018.

/s/ John A. Peralta
John A. Peralta
Counsel for Petitioner