

IN THE SUPREME COURT OF THE UNITED STATES

BENJAMIN ERNEST JOHNSON.

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The Petitioner asks leave to file the accompanying Petition for Writ of Certiorari without payment of cost and to proceed *in forma pauperis*. In support of this Motion, Petitioner, through undersigned appointed counsel, shows unto the Court:

1. The Petitioner is incarcerated in the United States Bureau of Prisons.
2. The Petitioner has previously been granted leave to proceed *in forma pauperis* by the United States District Court for the Western District of North Carolina in the matter that Petitioner now seeks to have the Court grant certiorari.
3. As shown by Exhibit A, undersigned counsel was appointed on December 15, 2016, by the Fourth Circuit of Appeals to represent the Petitioner.

Wherefore, Petitioner prays the Court allow him to proceed with his petition for writ of certiorari without prepayment of cost.

Respectfully submitted this 23rd day of February, 2018.

/s/ Sandra J. Barrett

Sandra J. Barrett

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ATTORNEY FOR PETITIONER

EXHIBIT A

December 15, 2016 Order of the Fourth Circuit Court of Appeals appointing
Sandra J. Barrett as Counsel for Benjamin Ernest Johnson.