

No. _____

IN THE

Supreme Court of the United States

SERVANDO BENITEZ-REYNOSO,

Petitioner,

v.

UNITED STATES OF AMERICA,

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**

NOW COMES Petitioner, SERVANDO BENITEZ-REYNOSO, by and through the undersigned attorney, and pursuant to RULE 39.1 of the RULES OF THE SUPREME COURT OF THE UNITED STATES, and in accordance with 18 U.S.C. §3006A (d)(7), respectfully moves this Honorable Court for leave to proceed *in forma pauperis*, and to file the attached PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT without prepayment of fees or other conditions. The case was decided in the FIFTH CIRCUIT under No. 16-51425.

Petitioner was represented by the undersigned as appointed counsel pursuant to the CRIMINAL JUSTICE ACT OF 1964, as amended, in the United States Court of Appeals for the Fifth Circuit. Leave to proceed *in forma pauperis* was not sought in any other court previous hereto.

Dated Effective: May 9, 2018

RESPECTFULLY SUBMITTED,

/S/ Sostenes Mireles II

SOSTENES MIRELES II
Counsel of Record for Petitioner
Texas Bar No. 24041497

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CERTIFICATE OF SERVICE

I, the undersigned SOSTENES MIRELES II, attorney for the Petitioner herein, certify that on or before May 9, 2018, I served a copy of this MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS on the SOLICITOR GENERAL OF THE UNITED STATES by causing a copy thereof to be sent by certified mail to him at the following address: Room 5614, Department of Justice, 950 Pennsylvania Ave., N.W., Washington, D. C. 20530–0001.

/S/ Sostenes Mireles II

SOSTENES MIRELES II
Counsel of Record for Petitioner