

No. 18-420

IN THE SUPREME COURT OF THE UNITED STATES

UNITED STATES OF AMERICA,

Petitioner,

v.

GERALD ADRIAN WHEELER,

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Respondent Gerald Adrian Wheeler respectfully requests leave to file a response to the government's Petition for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit without prepayment of costs and to proceed *in forma pauperis*. Respondent has previously been granted leave to proceed *in forma pauperis* in the following courts:

U.S. District Court for the Western District of North Carolina, Case No. 3:06-CR-363-RJC-3, by oral order dated September 15, 2006.

United States Court of Appeals for the Fourth Circuit, Case No. 08-4309, by order dated March 21, 2008.

Because appellate counsel was appointed pursuant to the Criminal Justice Act of 1964, 18 U.S.C. § 3006A, no affidavit or declaration of the petitioner is attached. See S. Ct. R. 39.1.

Respectfully submitted,

Anthony Martinez
FEDERAL PUBLIC DEFENDER FOR THE
WESTERN DISTRICT OF NORTH CAROLINA

A handwritten signature in black ink, appearing to read 'J. B. Carpenter', with a long horizontal flourish extending to the right.

Joshua B. Carpenter
Appellate Chief
One Page Avenue, Suite 210
Asheville, North Carolina 28801
(828) 232-9992

January 14, 2019