

No:

IN THE
SUPREME COURT OF THE UNITED STATES

DEXTER EARL KEMP,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner, Dexter Earl Kemp, pursuant to SUP CT. R. 39.1, respectfully moves for leave to file the accompanying petition for writ of certiorari in the Supreme Court of the United States without payment of costs and to proceed *in forma pauperis*.

In his underlying criminal case, the district court found Petitioner to be indigent and appointed counsel for him pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A. In his appeal from the dismissal of his 28 U.S.C. § 2255 and Rule 60(b) motions, the court of appeals granted Petitioner leave to proceed *in forma pauperis*. Therefore, in reliance upon RULE 39.1 and § 3006A, Petitioner has not attached the affidavit which would otherwise be required by 28 U.S.C. § 1746.

MICHAEL CARUSO
Federal Public Defender

Ft. Lauderdale, Florida
September 16, 2021

By: /s/ Andrew L. Adler
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