

No. \_\_\_\_\_  
\_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

JOHN HOTALING — PETITIONER

VS.

UNITED STATES OF  
AMERICA, — RESPONDENT

**MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

The petitioner seeks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the Northern District of New York and Second Circuit Court of Appeals. Petitioner's affidavit or declaration is not attached because the court below appointed counsel in the current proceeding, and the appointment is made under the Criminal Justice Act, 18 U.S.C. Sec. 3006A.

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