

IN THE SUPREME COURT OF THE UNITED STATES

SAMUEL ELLIOTT,
Movant-Appellant,

v.

UNITED STATES OF AMERICA,
Respondent-Appellee.

ON PETITION FOR WRIT OF CERTIORARI
AFTER DIRECT APPEAL FROM
THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEW MEXICO,
HONORABLE MATTHEW L. GARCIA
CASE Nos. 21-cv-226 MLG/GBW
& 14-cr-3822 MLG/GBW,
To the UNITED STATES COURT OF APPEALS FOR
THE TENTH CIRCUIT, No. 25-2018

PETITIONER SAMUEL ELLIOTT'S MOTION
FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

SCOTT M. DAVIDSON
COUNSEL FOR PETITIONER SAMUEL ELLIOTT
THE LAW OFFICE OF SCOTT M. DAVIDSON, Ph.D., Esq.
1011 LOMAS BOULEVARD NW
ALBUQUERQUE, NM 87102
505-255-9084
scott@justappeals.net

Petitioner Samuel Elliott, by and through counsel of record, Scott M. Davidson, asks leave to file a petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner Elliott has previously been granted leave to proceed *in forma pauperis* in this case in the following courts: United States District Court for the District of New Mexico, and the United States Court of Appeals for the Tenth Circuit.

Undersigned counsel has been appointed pursuant to the Criminal Justice Act to represent Petitioner Elliott in appellate proceedings in the Tenth Circuit, in the District of New Mexico, and in this Court during the certiorari process.

Petitioner Elliott is incarcerated at a facility of the United States Bureau of Prisons. On information and belief, Petitioner Elliott's previous *in forma pauperis* status has not changed materially since undersigned counsel's appointment by the Tenth Circuit.

Respectfully submitted,

/s/ Scott M. Davidson (electronically filed)

SCOTT M. DAVIDSON
COUNSEL FOR PETITIONER SAMUEL ELLIOTT
THE LAW OFFICE OF SCOTT M. DAVIDSON, PH.D., Esq.
1011 LOMAS BOULEVARD NW
ALBUQUERQUE, NM 87102
505-255-9084
scott@justappeals.net

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of February 2026, I electronically filed the motion for leave to proceed in forma pauperis on behalf of Petitioner Perkins with the Clerk of the Court for the United States Supreme Court. I further certify that I have sent on the 11th day of February 2026 via FedEx to this Court the motion for leave to proceed in forma pauperis. In addition, I certify that I have sent on this 11th day of February 2026 via FedEx a copy of the motion for leave to proceed in forma pauperis to Counsel of Record for the Respondent.

/s/ Scott M. Davidson (electronically filed)

SCOTT M. DAVIDSON
COUNSEL FOR PETITIONER SAMUEL ELLIOTT
THE LAW OFFICE OF SCOTT M. DAVIDSON, PH.D., Esq.
1011 LOMAS BOULEVARD NW
ALBUQUERQUE, NM 87102
505-255-9084
scott@justappeals.net