

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

---

**In the Supreme Court of the United States**

---

RICARDO ESQUIVEL,  
*Petitioner,*

VERSUS

UNITED STATES OF AMERICA,  
*Respondent.*

ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

MOTION TO PROCEED *IN FORMA PAUPERIS*

JOSEPH OSTINI  
Attorney at Law  
756 Brohard Rd  
Ray, OH 45672  
Tel.: (888) 529-9242  
*Attorney for Petitioner*

TO THIS HONORABLE COURT:

Ricardo Esquivel, Petitioner, through counsel, hereby requests leave to proceed *in forma pauperis* and would show as follows.

Mr. Ricardo Esquivel filed an affidavit in the U.S. District Court indicating his financial condition to the Court and requested that counsel be appointed to represent him. Mr. Ricardo Esquivel's financial condition had not improved by his interview with U.S. Probation in connection with his Presentence Investigation Report. Since then, he has remained in custody, and his financial condition has not improved.

Mr. Ricardo Esquivel was appointed trial counsel by the U.S. District Court, and the undersigned was appointed on appeal under 18 U.S.C. Section 3006A.

FOR THESE REASONS, pursuant to Supreme Court Rule 39, Ricardo Esquivel respectfully requests leave to proceed *in forma pauperis* in this case.

Respectfully submitted,

By: /s/ Joseph Ostini  
Joseph Ostini  
*Counsel of Record* for Mr. Ricardo Esquivel  
756 Brohard Rd  
Ray, OH 45672  
(888) 529-9242