

CASE NO. \_\_\_\_  
IN THE SUPREME COURT OF THE UNITED STATES

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DOMINIC MILLER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent

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ON PETITION FOR WRIT OF *CERTIORARI* TO  
THE UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

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

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Petitioner Dominic Miller moves this Court for leave to proceed *in forma pauperis*. As grounds, he states:

1. In the proceedings below, in both the district court and the court of appeals, Mr. Miller sought and received counsel appointed under the Criminal Justice Act, 18 U.S.C. § 3006A. His current lawyer, who drafted the attached petition for certiorari, was appointed by the United States Court of Appeals for the Tenth Circuit in the appeal that is the subject of the petition. Issued June 18, 2025, the Tenth Circuit order “appoint[ed] CJA Panel member John T. Carlson to represent Mr. Miller going forward.” That order of appointment remains in effect, and Mr. Miller remains unable to pay the costs of proceedings in this Court or any other.
2. Under Supreme Court Rule 39, “[a] party seeking to proceed *in forma pauperis* shall file a motion for leave to do so, together with the party’s notarized [financial] affidavit or declaration.” According to the rule, however, when counsel has been appointed by a lower court pursuant to the Criminal Justice Act, the financial affidavit of the party may be omitted if counsel so states in the motion. Because Mr. Miller was appointed counsel under the Criminal Justice Act in the court below, no separate affidavit of indigency is required.

3. WHEREFORE, Mr. Miller respectfully requests that this Court grant leave to proceed *in forma pauperis* in this case.

Respectfully Submitted,

By: /s/John T. Carlson

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