

NO: _____

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM 2025

PRICE MONTGOMERY,
Petitioner,

v.

UNITED STATES OF AMERICA
Respondent.

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

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner Price Montgomery, pursuant to the Supreme Court of the United States Rule 39 and 18 U.S.C. § 3006A(d)(7), asks for leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit without prepayment of costs and to proceed *in forma pauperis*. In the District Court of the Western District of Pennsylvania and on appeal to the United States Court of Appeals for the Third Circuit, Petitioner was represented by counsel appointed under the Criminal Justice Act, 18 U.S.C. § 3006A(b) and (c). Consistent with the Supreme Court of the United States Rule 39, no affidavit is required to be filed in support of this motion.

Dated: April 1, 2026

Respectfully submitted,

s/ Evan J. Austin _____

Evan J. Austin

Assistant Federal Public Defender

Counsel of Record

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