No._____

In the Supreme Court of the United States

JONATHAN MENDEZ-ESCOBAR,
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*

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Attorney for Petitioner

TO THIS HONORABLE COURT:

Jonathan Mendez-Escobar, Petitioner, through counsel, hereby requests leave to proceed *in forma pauperis* and would show as follows.

Mr. Jonathan Mendez-Escobar 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. Jonathan Mendez-Escobar'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. Jonathan Mendez-Escobar 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, Mr. Jonathan Mendez-Escobar respectfully requests leave to proceed *in forma pauperis* in this case.

Respectfully submitted,

By: /s/ Joseph Ostini

Joseph Ostini
Counsel of Record for Mr. Jonathan Mendez-Escobar
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