

No.

IN THE
SUPREME COURT OF THE UNITED STATES

BRETT DEWAYNE COLE,

PETITIONER,

v.

UNITED STATES OF AMERICA,

RESPONDENT.

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

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner Brett Dewane Cole,¹ by and through his court-appointed counsel, Blain Myhre, a member of the Tenth Circuit’s CJA Appellate Panel and the bar of this Court, respectfully requests that this Honorable Court grant leave to proceed *in forma pauperis* in petitioning for a Writ of Certiorari. In support of this request, Petitioner states that undersigned counsel was appointed pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, by the United States Court of Appeals for the Tenth Circuit, and that Mr. Cole is unable to retain counsel and pay for costs attendant to the proceedings before this Honorable Court. A copy of the appointment order is attached.

¹ Petitioner’s middle name is spelled without a “y”, but the case caption in both the district court and Tenth Circuit misspelled it throughout the proceedings.

WHEREFORE, Petitioner Cole respectfully requests that he be granted leave to proceed *in forma pauperis*.

Respectfully submitted,

/s/ Blain Myhre
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June 15, 2026