

No. _____

IN THE

Supreme Court of the United States

GILBERT GOMEZ, PETITIONER,

v.

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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TO THIS HONORABLE COURT:

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

Mr. Gilbert Gomez 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. Gilbert Gomez'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. Gilbert Gomez 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, Gilbert Gomez respectfully requests leave to proceed *in forma pauperis* in this case.

Respectfully submitted,

By: /s/ Joseph Ostini

Joseph Ostini

Counsel of Record for Mr. Gilbert Gomez

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