

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

NOE DE JESUS ARCE-HERNANDEZ

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

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DATE SENT BY United States Postal Service: June 30, 2026

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SUPREME COURT OF THE UNITED STATES
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PETITIONER,

V.

UNITED STATES OF AMERICA,
RESPONDENT.

MOTION FOR LEAVE TO
PROCEED *IN FORMA PAUPERIS*

Petitioner, Noe De Jesus Arce-Hernandez, by and through undersigned counsel, respectfully asks this Court to grant him permission to proceed *in forma pauperis* regarding his Petition for Writ of Certiorari to the Ninth Circuit Court of Appeals filed in this Court this same date. Petitioner has insufficient assets with which to hire counsel to represent him in connection with this Petition, or to file the Petition in this Court. The undersigned counsel was appointed by this Court to represent Petitioner under the Criminal Justice Act of 1964, 18 U.S.C. § 3006(A)(d)(6), and he continues to represent Petitioner pursuant to that appointment.

For the above-stated reasons, Petitioner requests that this Court grant him

leave to proceed *in forma pauperis* before this Court.

Respectfully submitted: June 30, 2026.

MICHAEL J. BRESNEHAN, P.C.

s/ Michael J. Bresnehan
Michael J. Bresnehan
Attorney for Petitioner

CERTIFICATE OF MAILING—PROOF OF SERVICE

Michael J. Bresnehan, Attorney for Petitioner, declares under penalty of perjury that the following is true and correct:

In accordance with Sup.Ct.R. 29.2, I have on this 30th day of June, 2026, caused to be delivered by First Class United States Postal Service the original and ten (10) copies of the foregoing Motion for Leave to Proceed *In Forma Pauperis* to the Clerk, Supreme Court of the United States, One 1st St. NE, Washington, D.C. 20543, within the period prescribed in Sup.Ct.R. 13.1; and

In accordance with Sup.Ct.R. 29.5, I have on this 30th day of June, 2026, caused two (2) copies of the foregoing Motion for Leave to Proceed *In Forma Pauperis* to be delivered via First Class United States Postal Service to the Solicitor General of the United States, Room 5614, Department of Justice, 950 Pennsylvania Ave., N.W., Washington DC 20530-0001, and caused one (1) copy of the foregoing Motion for Leave to Proceed *In Forma Pauperis* to be delivered via First Class United States Postal Service to Jillian Marie Besancon, Assistant United States Attorney, Two Renaissance Square, 40 North Central Avenue, Suite 1200, Phoenix, Arizona 85004, and caused one (1) copy of the foregoing Motion for Leave to Proceed *In Forma Pauperis* to be delivered via First Class United States Mail to the Petitioner, Noe De Jesus Arce-Hernandez, Registration No. 86575-510, FCI Safford, P.O. Box 9000, Safford, Arizona, 85548.

MICHAEL J. BRESNEHAN, P.C.
s/ Michael J. Bresnehan
Michael J. Bresnehan
Attorney for Petitioner