

No. _____

IN THE
Supreme Court of the United States

LEONARD HIGGINS,
Petitioner,
v.

UNITED STATES,
Respondent.

On Petition for a Writ of Certiorari
To the United States Court of Appeals for the Eighth Circuit

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

LAINÉ CARDARLLA
Federal Public Defender
Western District of Missouri

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Attorney for Petitioner

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COMES NOW Petitioner, Leonard Higgins, by his attorney, Daniel P. Goldberg, Assistant Federal Public Defender, Western District of Missouri, and moves this Court, pursuant to 28 U.S.C. §1915, 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1 and .2, for leave to file a petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit without prepayment of docket or other fees, and to proceed In Forma Pauperis. The petition accompanies this motion.

United States Magistrate Judge Lajuana M. Counts appointed the Federal Public Defender Office to represent Mr. Higgins pursuant to the Criminal Justice Act on May 3, 2024. Mr. Higgins was indicted in the United States District Court, Western District of Missouri, on May 24, 2024, for felon in possession of a firearm. Following a jury trial, Mr. Higgins was found guilty as to count 1 of the Indictment,

he appealed his sentence of 120 months of imprisonment. On appeal the Federal Defender continued to represent Mr. Higgins without payment of fees or costs or security and without filing the affidavit required by 28 U.S.C. § 1915(a), all pursuant to 18 U.S.C. § 3006A(d)(6).

Because both the United States District Court for the Western District of Missouri and the United States Court of Appeals for the Eighth Circuit permitted Mr. Higgins to proceed In Forma Pauperis and appointed counsel for him, no affidavit in support of this Motion to Proceed In Forma Pauperis in this Court is required. 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1.

s/ Daniel P. Goldberg

Daniel P. Goldberg

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