

No. 26-____

**IN THE
SUPREME COURT OF THE UNITED STATES**

AURELIO QUINTANILLA, JR.,
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 FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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Counsel for Petitioner

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner Aurelio Quintanilla, Jr., respectfully moves under Rule 39 of this Court for leave to proceed in forma pauperis and to file the accompanying petition for a writ of certiorari without prepayment of fees or costs. In support of this motion, petitioner states as follows.

1. Petitioner is confined at the Federal Correctional Institution in Greenville, Illinois (Register No. 12201-506), serving the 240-month sentence imposed by the United States District Court for the Southern District of Texas in No. 4:24-CR-434-1, which is the subject of the accompanying petition.

2. The district court found petitioner indigent at sentencing. On that basis it waived a fine and the special assessments otherwise required by 18 U.S.C. §§ 2259A and 3014, finding that petitioner “doesn’t have the ability to pay.” Sent. Tr. 23 (ROA.110); ROA.72 (“Based upon a finding of indigency, the Court waives the additional special assessment . . .”).

3. Petitioner was found financially eligible for appointed counsel under the Criminal Justice Act, 18 U.S.C. § 3006A, and was represented by the Office of the Federal Public Defender for the Southern District of Texas in the district court and in the court of appeals until undersigned counsel was substituted.

4. Undersigned counsel was retained to substitute for appointed counsel in the court of appeals and represents petitioner in this Court. As disclosed in response to Question 10 of petitioner’s declaration, counsel’s fee in this Court is \$2,500. That fee is being paid with funds provided by petitioner’s family; petitioner has no income or

assets of his own from which to pay it, the docketing fee, or the costs of preparing and printing the petition.

5. Petitioner's declaration in the form prescribed by Rule 39.1, made under penalty of perjury in compliance with 28 U.S.C. § 1746, is attached to this motion.

Petitioner therefore respectfully requests that the Court grant leave to proceed in forma pauperis.

Respectfully submitted,



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October 17, 2026

**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Aurelio Quintanilla Jr., am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0	\$ 0	\$ 0	\$ 0
Self-employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify): <u>From family</u>	\$ 200	\$ 0	\$ 200	\$ 0
Total monthly income:	\$ 200	\$ 0	\$ 200	\$ 0

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
N/A	N/A	N/A	\$ N/A
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
N/A	N/A	N/A	\$ N/A
			\$
			\$

4. How much cash do you and your spouse have? \$ 0
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
N/A	\$ N/A	\$ N/A
	\$	\$
	\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

☐ Home N/A
Value _____

☐ Other real estate N/A
Value _____

☐ Motor Vehicle #1
Year, make & model N/A
Value _____

☐ Motor Vehicle #2
Year, make & model N/A
Value _____

☐ Other assets N/A
Description _____
Value _____

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
	\$	\$
N/A	\$ N/A	\$ N/A
	\$	\$

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
N/A	N/A	N/A

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 0	\$ 0
Are real estate taxes included? ☐ Yes ☐ No		
Is property insurance included? ☐ Yes ☐ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$ 0
Home maintenance (repairs and upkeep)	\$ 0	\$ 0
Food	\$ 0	\$ 0
Clothing	\$ 0	\$ 0
Laundry and dry-cleaning	\$ 0	\$ 0
Medical and dental expenses	\$ 0	\$ 0

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0	\$ 0
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 0
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ 0
Life	\$ 0	\$ 0
Health	\$ 0	\$ 0
Motor Vehicle	\$ 0	\$ 0
Other: _____	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ 0	\$ 0
Installment payments		
Motor Vehicle	\$ 0	\$ 0
Credit card(s)	\$ 0	\$ 0
Department store(s)	\$ 0	\$ 0
Other: _____	\$ 0	\$ 0
Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0
Other (specify): _____	\$ 0	\$ 0
Total monthly expenses:	\$ 0	\$ 0

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes

☒ No

If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? ☒ Yes ☐ No

If yes, how much? \$2500

If yes, state the attorney's name, address, and telephone number:

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617-651-5577

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes

☒ No

If yes, how much?

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I am Currently incarcerated and unable to work.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 23rd, 2026



(Signature)