No. _____

In the Supreme Court of the United States

JEFFREY I. BATTLE, PETITIONER,

v.

UNITED STATES OF AMERICA, RESPONDENT.

ON PETITION FOR A WRIT OF CERTIORARI TO THE

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Louis E. Grube, Esq.
Counsel of Record
Joseph Shell, Esq.
Victoria L. DeLaney, Esq.
FLOWERS & GRUBE
Terminal Tower, 40th Floor
50 Public Square
Cleveland, Ohio 44113
(216) 344-9393
leg@pwfco.com

Counsel for Petitioner Jeffrey I. Battle

MOTION

Petitioner Jeffrey I. Battle ("Battle") requests leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. This relief is warranted because Battle was permitted to proceed *in forma pauperis* by the United States Court of Appeals for the Sixth Circuit with counsel of record appointed by the United States District Court for the Northern District of Ohio. Battle's request was made and granted under the Criminal Justice Act, 18 U.S.C. § 3006A(d)(7). Battle remains indigent and unable to hire counsel.

CONCLUSION

For the foregoing reasons, Battle should be granted leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Respectfully submitted,

Louis E. Grube, Esq.
Counsel of Record
Joseph Shell, Esq.
Victoria L. DeLaney, Esq.
FLOWERS & GRUBE

Counsel for Petitioner Jeffrey I. Battle