No. ____

In The

Supreme Court of the United States

CHICOBY SUMMERS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner Chicoby Summers ("Petitioner" or "Mr. Summers") requests leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed in forma pauperis.

On March 30, 2025 the United States Courts of Appeals for the Sixth Circuit docketed Mr. Summers's appeal and noted his in forma pauperis status and appointed him counsel under the Criminal Justice Act, 28 U.S.C. § 1915(e)(1). *United States v. Chicoby Summers*, 25-5006 (6th Cir. March 30, 2025) (Docs. 12 and 13). On June 20, 2025, the undersigned counsel was subsequently appointed to represent him on appeal. *United States v. Chicoby Summers*, No. 25-5006 (6th Cir. Jun. 20, 2025)

(Doc. 15). Petitioner, who remains incarcerated and indigent, now seeks leave to proceed in forma pauperis in this Court.

Respectfully submitted on this 9th day of November, 2026.

By: /s/ Selby P. Brown
Selby P. Brown
Counsel of Record
Fenwick & West LLP
401 Union Street, 5th Fl
Seattle, WA 98101
(206) 389-4511
selbybrown@fenwick.com

Todd R. Gregorian
Fenwick & West LLP
One Front Street, Floors 31-33
San Francisco, CA 94111
(415) 875-2402

Pro Bono Counsel for Petitioner