No. ____

IN THE SUPREME COURT OF THE UNITED STATES

DARRYL BROWN

Petitioner,

v.

LETITIA JAMES, In her official capacity as Attorney General of New York, ANTHONY J. ANNUCCI, In his official capacity as the acting Commissioner for the New York Department of Corrections and Community Supervision, MICHAEL KIRKPATRICK, In his official capacity as Superintendent of the Clinton Correctional Facility,

Respondents.

On Petition for Writ of Certiorari

To the United States Court of Appeals For the Second Circuit

APPLICATION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Kristen M. Santillo
Gelber & Santillo PLLC
52 Duane Street, 7th Floor
New York, NY 10007
Phone: 212-227-4743
Facsimile: 212-227-7371
Email: ksantillo@gelbersantillo.com
Counsel for Petitioner Darryl Brown

APPLICATION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to 18 U.S.C. § 3006A(d)(7) and Rule 39 of this Court, Petitioner Darryl Brown respectfully requests leave to file the attached Petition for a Writ of Certiorari without payments of fees or costs and to proceed in forma pauperis.

Petitioner is currently incarcerated. He was represented by counsel appointed pursuant to 18 U.S.C. § 3006A(a)(1)(A) on appeal to the United States Court of Appeals for the Second Circuit. Counsel certifies that, in the court below, counsel was appointed to represent Petitioner pursuant to the Criminal Justice Act.

Dated: New York, New York, November 12, 2026

Respectfully submitted,

/s/ Kristen M. Santillo

Kristen M. Santillo
Gelber & Santillo PLLC
52 Duane Street, 7th Floor
New York, NY 10007
Phone: 212-227-4743
Facsimile: 212-227-7371
Email: ksantillo@gelbersantillo.com
Counsel for Petitioner Darryl Brown