No. _____

In the Supreme Court of the United States

Brandon David McCarthy and
Rachel Christine McCarthy,

Petitioners,

v.

United States of America

Respondent.

On Petition for Writ of Certiorari to
the United States Court of Appeals
for the Tenth Circuit

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioners, Brandon David McCarthy and Rachel Christine McCarthy, by and through their respective court-appointed counsel, Alan S. Mouritsen, attorney, and Leah D. Yaffe, Assistant Federal Public Defender for the District of Colorado, respectfully request that this Honorable Court grant them leave to proceed *in forma pauperis* in petitioning for a writ of certiorari. In support of this request, Petitioners state that undersigned counsel were appointed pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, by the United States Court of Appeals for

the Tenth Circuit, and that they are unable to retain counsel and pay for costs attendant to the proceedings before this Honorable Court.

WHEREFORE, the Petitioners, Brandon David McCarthy and Rachel Christine McCarthy, respectfully request that they be granted leave to proceed *in forma pauperis*.

Respectfully submitted,

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