

Capital Case

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

WADE GREELY LAY,
Petitioner,

v.

TERRY ROYAL, Warden,
Oklahoma State Penitentiary,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner, Wade Greely Lay, is now being held by the Oklahoma Department of Corrections, currently incarcerated at the Oklahoma State Penitentiary where he is serving a sentence of death. Mr. Lay requests leave to file the attached *Petition for Writ of Certiorari to the United States Court of Appeals for the Tenth Circuit* without payment of costs and to proceed *in forma pauperis* pursuant Rule 39 of the Rules of the Supreme Court of the United States.

Mr. Lay is indigent and has been represented by appointed counsel throughout the proceedings against him. On October 20, 2008, the United States District Court for the

Northern District of Oklahoma, Case No. CIV-08-617, appointed the Office of the Federal Public Defender for the Western District of Oklahoma to represent Mr. Lay. 18 U.S.C. § 3006A. Thus, Petitioner is not required to submit a notarized affidavit or declaration in support of this motion. Supreme Court Rule 39.1.

Respectfully submitted,

PATTI PALMER GHEZZI, OBA # 6875 *
SARAH M. JERNIGAN, OBA # 21243
Assistant Federal Public Defenders
Office of the Federal Public Defender
Western District of Oklahoma
215 Dean A. McGee, Suite 707
Oklahoma City, Oklahoma 73102
(405) 609-5975 Phone
(405) 609-5976 Fax
Patti_Ghezzi@fd.org
Sarah_Jernigan@fd.org

ATTORNEYS FOR PETITIONER,
WADE GREELY LAY

Dated this 2nd day of February, 2018.

* *Counsel of record*