

No. \_\_\_\_\_

**IN THE SUPREME COURT OF THE UNITED STATES**

**OCTOBER TERM 2017**

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CHARLES KENNETH FOSTER,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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*On Petition for a Writ of Certiorari to the  
Supreme Court of Florida*

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**MOTION TO PROCEED *IN FORMA PAUPERIS***

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***THIS IS A CAPITAL CASE***

Petitioner, Charles Kenny Foster, respectfully moves to proceed *in forma pauperis* (“IFP”), pursuant to Rule 39 of the Rules of the Supreme Court of the United States, in connection with his filing of a Petition for a Writ of Certiorari. Petitioner is an indigent prisoner on Florida’s death row.

Petitioner was previously granted IFP status by Florida’s state and federal courts. Undersigned counsel of record, Billy H. Nolas, Chief of the Capital Habeas Unit of the Office of the Federal Public Defender for the Northern District of Florida, was appointed to represent Petitioner by the United States District Court for the Northern District of Florida, under 18 U.S.C. § 3599, on March 31, 2017. Petitioner’s

co-counsel in this Court, from the Office of the Capital Collateral Regional Counsel—  
Middle Region, were appointed to represent Petitioner by the Bay County Circuit  
Court, under Fla. Stat. §§ 27.7001-27.715, on April 24, 2017.

Respectfully submitted,

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