

DOCKET NO. _____

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2017

MILFORD WADE BYRD,

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

COMES NOW, the Petitioner, **MILFORD WADE BYRD**, by and through undersigned counsel, and moves for leave of this Court to proceed *in forma pauperis* in this proceeding. Petitioner has been found indigent by each state and federal court in which he has challenged this conviction and sentence and has been permitted to proceed *in forma pauperis* before each of those courts during the past thirty-six years that he has been on Florida's death row, specifically: the Florida Supreme Court; the Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida; and the United States District Court for the Middle District of Florida.

Undersigned counsel is employed by the Office of the Capital Collateral Regional Counsel for the Southern Region (CCRC-South), an agency of the State of Florida tasked with representing those under a Florida death sentence who are pursuing collateral relief. As a Special Assistant CCRC-South, the undersigned has served as Petitioner's state-provided capital collateral for over ten years. As a result, the State of Florida pays for undersigned counsel's services as Petitioner's counsel.

Undersigned counsel is a member of the Florida Bar.

WHEREFORE, Petitioner moves the Court for leave to proceed in this action *in forma pauperis*.

I HEREBY CERTIFY that a true copy of the foregoing motion has been furnished by United States Mail, first-class postage prepaid, to all counsel of record on May 23, 2018.

/s/ Martin J. McClain
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