

DOCKET NO. \_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM, 2018

---

**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: the Florida Supreme Court; the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida; and the United States District Court for the Middle District of Florida.

Undersigned counsel was assigned to serve as Mr. Byrd's collateral counsel by the Capital Collateral Regional Counsel for the Southern Region (CCRC-South), which is a state agency that

provides collateral representation to indigent death row inmates. CCRC-South is funded by the State of Florida. CCRC-South employs undersigned counsel to represent Mr. Byrd in his collateral litigation.

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 July 30, 2018.

/s/ Martin J. McClain  
MARTIN J. MCCLAIN  
Fla. Bar No. 0754773  
McClain & McDermott, P.A.  
Attorneys at Law  
141 N.E. 30<sup>th</sup> Street  
Wilton Manors, FL 33334  
(305) 984-8344  
[martymcclain@comcast.net](mailto:martymcclain@comcast.net)

Counsel for Milford Wade Byrd