

Case No.

IN THE SUPREME COURT OF THE UNITED STATES

JEFFERY DANA SPARKS,)

Petitioner,)

v.)

JEFF PREMO, Superintendent,)

Oregon State Penitentiary,)

Respondent.)

On Petition for Writ of Certiorari to the
Supreme Court of the State of Oregon

MOTION FOR PERMISSION TO PROCEED IN FORMA PAUPERIS

Michael Curtis
Attorney at Law
1631 NE Broadway, No. 142
Portland OR 97232
503.804.6594
MichaelCurtis@MichaelCurtisPDX.com

Counsel of Record

Bert Dupré
Attorney at Law
4110 SE Hawthorne Blvd., # 276
Portland OR 97214
503.701.3188
bert.dupre@gmail.com

Petitioner, Jeffery Dana Sparks, through counsel, hereby moves this Court, pursuant to Rule 39 of this Court, for permission to proceed *in forma pauperis*. More specifically Petitioner seeks waiver of all costs in this proceeding and appointment of counsel to assist him before this Court. In support of this Motion, counsel states:

- Leave to proceed *in forma pauperis* was sought in the courts below and, was granted.
- The courts below appointed counsel to represent petitioner. Appended hereto as Exhibits A, B and C are copies of the appointment orders.

Submitted September 1, 2018.

Michael Curtis
Attorney at Law
1631 NE Broadway, No. 142
Portland OR 97232
503.804.6594
MichaelCurtis@MichaelCurtisPDX.com

Bert Dupré
Attorney at Law
4110 SE Hawthorne Blvd., # 276
Portland OR 97214
503.701.3188
bert.dupre@gmail.com

STATE OF OREGON
Marion County Circuit Courts
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JUN 5 2007
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ENTERED

STATE OF OREGON
Marion County Circuit Courts
MAY 17 2007
FILED

THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION

5 JEFFERY DANA SPARKS,)

6 Petitioner,)

7 v.)

No. 07C11052

8 BRIAN BELLEQUE,)

9 Defendant.)

10 ORDER REMOVING RICHARD COWAN AND APPOINTING OF KATHLEEN M.
11 CORRELL AS COUNSEL OF RECORD

12 Jeffery Dana Sparks, through attorney Kathleen M. Correll, has moved the Court for an
13 order removing previously appointed counsel Richard Cowen, and appointing instead Kathleen M.
14 Correll as counsel in this capital post-conviction matter.

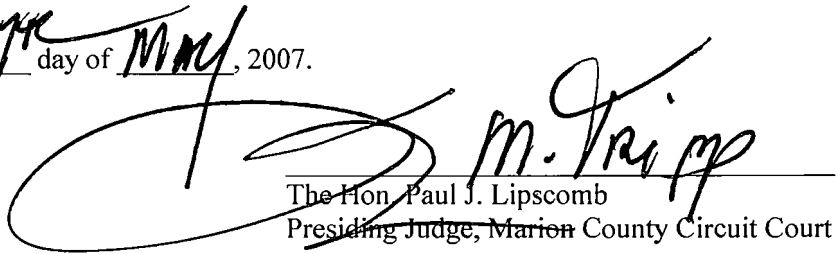
15 Having considered the matter and being fully advised in the premises,

16 IT IS HEREBY ORDERED THAT the Motion to remove Richard Cowan and appointing
17 instead Kathleen M. Correll as counsel of record is:

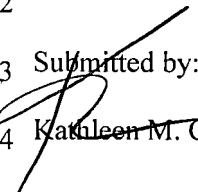
18 GRANTED

19 DENIED

20 DATED this 17th day of May, 2007.

21 
22 The Hon. Paul J. Lipscomb
Presiding Judge, Marion County Circuit Court

23 Submitted by:

24  Kathleen M. Correll, Attorney at Law

PAGE 1 ORDER REMOVING RICHARD COWAN AND APPOINTING KATHLEEN M. CORRELL AS
COUNSEL OF RECORD

CURTIS & CORRELL, ATTORNEYS AT LAW
4300 NE FREMONT STREET, SUITE 230
PORTLAND, OREGON 97213

07C11052
ORSU
Order - Substituting Attorney
8111894

PHONE: 503.284.0763
FAX: 503.235.0701



_ Verified Correct Copy of Original 10/12/2017._

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing proposed ORDER REMOVING RICHARD COWAN AND APPOINTING KATHLEEN M. CORRELL AS COUNSEL OF RECORD on the following parties by and delivering or mailing them US Mail first class postage prepaid, on this date a full, true and complete copy thereof, enclosed in a sealed envelope, addressed to:

Mr. Richard Cowan
Rockwell, Cowan & Habekost
1496 Commercial St NE
PO Box 965
Salem, OR 97308-0965

Jeffery Sparks
SID 4776583
2605 State St
Salem, Oregon 97310-1346

Dated May 16, 2007.



Kathleen M Correll, OSB 87198
Attorney at Law

PAGE 2 ORDER REMOVING RICHARD COWAN AND APPOINTING KATHLEEN M. CORRELL AS COUNSEL OF RECORD

CURTIS & CORRELL, ATTORNEYS AT LAW
4300 NE FREMONT STREET, SUITE 230
PORTLAND, OREGON 97213

TELEPHONE: 503.284.0763
FAX: 503.235.0701

Verified Correct Copy of Original 10/12/2017

STATE OF OREGON
Marion County Circuit Courts
AUG 08 2008
ENTERED

STATE OF OREGON
Marion County Circuit Courts
AUG 07 2008
FILED

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION**

JEFFERY DANA SPARKS,

Petitioner,

v.

BRIAN BELLEQUE,

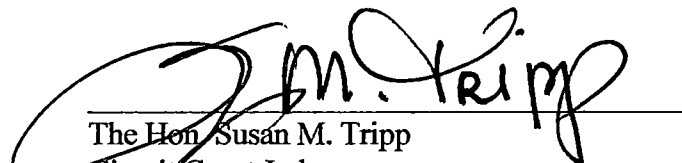
Defendant.

)
) **No. 07C11052**
)
) **ORDER APPOINTING**
) **MICHAEL D. CURTIS AS**
) **LEAD COUNSEL**
)
)
)

This matter comes before the Court on the request by Jeffery Sparks' lead counsel, Kathleen M. Correll, to substitute co-counsel Michael Curtis as lead counsel, leaving Ms. Correll on as co-counsel. This court has reviewed Ms. Correll's affidavit, and being fully advised in the premises;

IT IS HEREBY ORDERED that Michael D. Curtis, OSB number 77149, is appointed as lead-counsel in this case; and

IT IS HEREBY FURTHER ORDERED that Ms. Correll will remain on the case as co-counsel.


The Hon. Susan M. Tripp
Circuit Court Judge

07C11052
ORAC
Order - Appointing Counsel
8110389



1, ORDER APPOINTING MICHAEL D. CURTIS AS LEAD COUNSEL

KATHLEEN M. CORRELL, ATTORNEY AT LAW
4300 NE Fremont Street, Suite 230
Portland, Oregon 97213

Telephone: 503.284.0763
Fax: 503.235.0701

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CERTIFICATE OF SERVICE

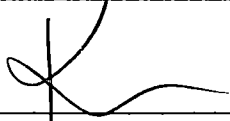
I hereby certify that I served the foregoing **ORDER APPOINTING MICHAEL D. CURTIS AS LEAD COUNSEL**, on the parties by delivering on this date a full, true and complete copy thereof, to the following parties in the following manner:

Ms. Susan Gerber
Assistant Attorney General
Department of Justice
1162 Court Street, NE
Salem, OR 97301-4096

- HAND DELIVERY
- MAIL DELIVERY
- OVERNIGHT MAIL
- FACSIMILE
- E-MAIL
- E-FILE

Attorney for Defendant.

Dated August 5, 2008.



Kathleen M. Correll, OSB No. 87198
Of Attorneys for Jeffery Dana Sparks

Verified Correct Copy of Original 10/12/2017.

1 **Michael Curtis, OSB No. 771499**
2 Attorney at Law
3 MichaelCurtis@MichaelCurtisPDX.com
4 1631 NE Broadway, No 142
5 Portland OR 97232
6 503.804.6594

7 **Kathleen Correll, OSB No. 87198**
8 Attorney at Law
9 kmc@kmcCorrellattny.com
10 PO Box 13351
11 Portland, OR 97213
12 503.284.0763

13 Attorneys for Petitioner, Jeffery Dana Sparks

ENTERED
DEC 11 2013
16

STATE OF OREGON
Marion County Circuit Courts
DEC 11 2013
FILED

14
15 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**

16
17 **FOR THE COUNTY OF MARION**

18 **Jeffery Dana Sparks,**)

19)
20 **Petitioner,**)

21)
22 **v.**)

No. 12C11135

23)
24 **JEFF PREMO, Superintendent, Oregon State**)
25 **Penitentiary**)

26)
27 **Defendant.**)

28 **Order Regarding Petitioner's Motion for Appointment of Replacement Co-Counsel on Appeal**

29 Petitioner, by and through his attorney Michael Curtis, has moved this Court for an order appointing Bert
30 Dupré, OSB No. 055233, as co-counsel in the place of Kathleen Correll, OSB No. 971989, relative to the appeal of
31 the matter captioned above. GOOD CAUSE APPEARING, AND THIS COURT BEING FULLY ADVISED IN
32 THE PREMISES, IT IS HEREBY ORDER THAT:

33 **////**

34 **////**

35 **////**

07C11062
ORAC
Order - Appointing Counsel
8118943



PAGE 1, PETITIONER'S MOTION FOR APPOINTMENT OF REPLACEMENT CO-COUNSEL ON APPEAL

MICHAEL CURTIS, ATTORNEY AT LAW
1631 NE Broadway, No. 142
PORTLAND, OREGON 97232

TELEPHONE: 503.804.6594
MichaelCurtis@MichaelCurtisPDX.com

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Verified Correct Copy of Original 10/12/2017

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Bert Dupré, OSB No. 055233, is appointed as co-counsel in the place of Kathleen Correll, OSB No. 971989, relative to the appeal of the matter captioned above.

SO ORDERED the 13th day of December, 2013.



Circuit Court Judge

PAGE 2, PETITIONER'S MOTION FOR APPOINTMENT OF REPLACEMENT CO-COUNSEL ON APPEAL

MICHAEL CURTIS, ATTORNEY AT LAW
1631 NE Broadway, No. 142
PORTLAND, OREGON 97232

TELEPHONE: 503.804.6594
MichaelCurtis@MichaelCurtisPDX.com

EXHIBIT C, Page 2

Certificate of Service

I hereby certify that I served the foregoing *Motion for Permission to Proceed in Forma Pauperis* delivered contemporaneously with this Certificate of Service in keeping with Rule 29 of this Court, by depositing it with the United States Postal Service, with first-class postage prepaid, addressed to:

Timothy A. Sylwester
Senior Assistant Attorney General
1162 Court St NE
Salem OR 97301-4096
timothy.sylwester@state.or.us

Attorney for Respondent;

I further certify that I transmitted an electronic version of the Motion for Permission to Proceed *In Forma Pauperis* in Portable Document Format on Mr. Sylwester at his e-mail address on this date; and I further certify that I have served all parties required to be served by Rule 29.

The attorneys in this proceeding are:

Michael Curtis
1631 NE Broadway, No. 142
Portland OR 97232
503.804.6594
MichaelCurtis@MichaelCurtisPDX.com
Counsel of Record

Bert Dupré
Attorney at Law
4110 SE Hawthorne Blvd., # 276
Portland OR 97214
503.701.3188
bert.dupre@gmail.com

Attorneys for Petitioner

and

Timothy A. Sylwester
Senior Assistant Attorney General
1162 Court St NE
Salem OR 97301-4096
503.378.4402
timothy.sylwester@doj.state.or.us

Attorney for Respondent

Submitted September 1, 2018.

Michael Curtis
Attorney at Law
1631 NE Broadway, No. 142
Portland OR 97232
503.804.6594
MichaelCurtis@MichaelCurtisPDX.com