

No. 18-

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IN THE  
SUPREME COURT OF THE UNITED STATES

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James Kraig Kahler — PETITIONER  
(Your Name)

VS.

Kansas — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

District Court of Osage County, Kansas

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Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: \_\_\_\_\_  
\_\_\_\_\_, or

a copy of the order of appointment is appended.

  
\_\_\_\_\_  
(Signature)

APPELLATE CASES

FILED

IN THE DISTRICT COURT OF OSAGE COUNTY, KANSAS

2011 OCT 27 AM 9:47  
CLERK OF DIST. COURT  
OSAGE COUNTY KANSAS

STATE OF KANSAS,  
Plaintiff,

Vs.

Case No. 2009-CR-000270

James Kraig Kahler,  
Defendant.

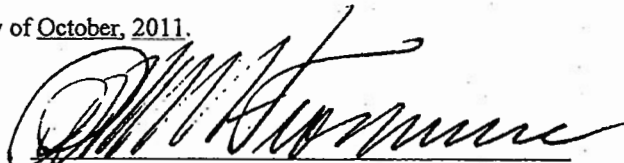
ORDER APPOINTING COUNSEL

Having been charged with the commission of a felony, to wit: **Capital Murder; sub-section unknown**, in violation of K.S.A. 21.3439, **Felony Off Grid** person or having been determined to be entitled to representation by counsel on appeal under K.S.A. \_\_\_\_\_ and having been determined an indigent in accordance with K.S.A. 22-4501 et seq., the person named above is entitled to appointment of counsel for appeal. It is therefore ordered that Capital Appellate Defender is hereby appointed to represent the above-mentioned person as follows:

- Direct appeal from felony conviction and/or sentence
- 60-1507 appeal
- Habeas corpus appeal pursuant to K.S.A. 22-2710
- Appeal pursuant to K.S.A. 1987 Supp. 38-1681(b)
- Appeal on question reserved by prosecution pursuant to K.S.A. 22-3602(b)(3)
- Other Appeal: \_\_\_\_\_

It is further ordered that upon completion of the record on appeal the Clerk of the District Court shall provide such record to the Appellate Defender's Office, 700 Jackson, Ste 900, Topeka KS 66603-3740.

BY ORDER OF THE COURT this 26th day of October, 2011.

  
JUDGE OF THE DISTRICT COURT

Note: The Appellate Defender shall be appointed in all indigent felony appeals and appeals taken pursuant to K.S.A. 1987 Supp. 22-4506(c) and K.S.A. 1987 Supp. 38-1681 in which the defendant has been determined to be indigent.

Original - To Court File

Attorney - Refer to K.A.R. 105-1-1, et seq., for procedures and standards of compensation.  
The form should only be used for felony or other cases funded by the State Board of Indigents' Defense Services. See K.A.R. 105-1-1, et seq.

S.B.I.D.S. - Form 1B (Rev. 1-88)

STATE OF KANSAS, OSAGE  
COUNTY ss

I certify that this is a true and correct copy of the original as appears of record in my office.

Dated Oct 27-11

  
Clerk of the District Court