

NO. _____

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 2018

PHAP BUTH

Petitioner,

vs.

COMMONWEALTH OF MASSACHUSETTS

Respondent.

MOTION TO PROCEED *IN FORMA PAUPERIS*

Petitioner, Phap Buth, asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. He has been proceeding *in forma pauperis*, with appointed counsel, throughout the lower court proceedings. Current counsel is appointed by the Massachusetts courts to represent Mr. Buth due to indigency. A copy of counsel's appointment is attached.

Respectfully Submitted,

PHAP BUTH
By his attorneys,



John H. Cunha Jr.*
Charles Allan Hope
CUNHA & HOLCOMB, P.C.
One State Street, Suite 500
Boston, MA 02109-3507
617-523-4300

**Counsel of Record*
Dated: October 12, 2018

NOTICE OF ASSIGNMENT OF COUNSEL	Assignment Number CR000094	COMMONWEALTH OF MASSACHUSETTS
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Date of Assignment 8/3/2008	Judge CPCS	Court 473 Essex Superior Court	Jury Selection
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Name of Person for whom counsel assigned Phan Binh W95495	The court has found the above named person
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Is Adult	Is MCI
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Prisoner No. B00CR2005-01256	Correctional Institution
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Prisoner No. B00CR2005-01256	Prisoner Status MCI Order Junction
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Part Trial Criminal Case Purpose of Assignment

Level

Offense / Charge 504 Murder 506 Homicide	Trial Court Essex Superior Court
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Attorney Assigned	
EBO	108580
Name	John Cunha Jr
Address	One State Street, Suite 500 Boston, MA 02109
Phone	(617) 523-4300

Authorized Signature: Dorothy A. Mele
