

IN THE SUPREME COURT OF THE UNITED STATES
October Term, 2018

SCOTTY GARNELL MORROW,
Petitioner

-v-

BENJAMIN FORD, Warden,
Georgia Diagnostic Prison,
Respondent.

On Petition for a Writ of Certiorari
to the United States Court of Appeals
for the Eleventh Circuit

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

COMES NOW Petitioner, Scotty Garnell Morrow, by and through his undersigned counsel, and, pursuant to Rule 39, Rules of the Supreme Court of the United States, moves this Court for an Order granting him leave to proceed *in forma pauperis*, and without prepayment of fees. In support thereof, Petitioner shows this Court the following:

1) Petitioner currently is confined under a sentence of death at the Georgia Diagnostic and Classification Prison in Jackson, Georgia. He was permitted to proceed as an indigent without payment of costs and fees in the United States District Court for the Northern District of Georgia and the United States Court of Appeals for the Eleventh Circuit throughout the proceedings below.

2) Petitioner remains indigent and files herewith a petition for writ of *certiorari* from this Court to the Eleventh Circuit Court of Appeals, which denied Petitioner's appeal of the district court's dismissal of his Petition for Writ of Habeas Corpus by a Prisoner in State Custody on March 27, 2018, and denied his timely filed Petition for Rehearing and Rehearing *En Banc* on May 22, 2018.

3) The order of the United States District Court finding Petitioner to be indigent and appointing undersigned counsel is attached hereto, pursuant to Supreme Court Rule 39.1.

WHEREFORE, Petitioner respectfully requests that this Court grant his motion and allow Petitioner to proceed *in forma pauperis* and without prepayment of costs.

Respectfully submitted, this 19th day of October, 2018,

S. Jill Benton
Nathan Potek
Federal Defender Program, Inc.
101 Marietta Street, Suite 1500
Atlanta, Georgia 30303
404.688.7530
Jill_Benton@fd.org

Marc F. Holzapfel
CJA COUNSEL
10 Appleton Place
Glen Ridge, New Jersey 07028
201.247.7518
Mfholzapfel@gmail.com

Counsel for Scotty Garnell Morrow

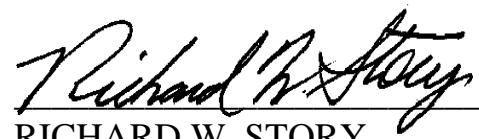
**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

SCOTTY GARNELL MORROW,	:	
	:	
Petitioner,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	2:12-CV-00051-RWS
WARDEN CARL HUMPHREY,	:	
Georgia Diagnostic Prison,	:	
	:	
Respondent.	:	
	:	

ORDER

This case is before the Court for consideration of Petitioner's Application for Leave to Proceed *in Forma Pauperis* [2] and Petitioner's Motion to Appoint Counsel [3]. After due consideration, Petitioner's Application for Leave to Proceed *in Forma Pauperis* [2] is hereby **GRANTED**. Petitioner's Motion for Appointment of Counsel [3] is **GRANTED**. Accordingly, S. Jill Benton of the Federal Defender Program is appointed as counsel for Petitioner. Also, Mark F. Holzapfel is appointed as counsel for Petitioner, said appointment to be effective upon approval of an application by Mr. Holzapfel to appear *pro hac vice*.

SO ORDERED, this 5th day of April, 2012.



RICHARD W. STORY
UNITED STATES DISTRICT JUDGE