

NO. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

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DAVID MCGUIRE,  
*Petitioner,*

v.

STATE OF OHIO,  
*Respondent.*

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PETITIONER'S MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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Petitioner David McGuire moves this Court for leave to proceed *in forma pauperis* under Rule 39 so that he may petition this Court for a writ of certiorari to the Supreme Court of Ohio. Petitioner David McGuire is indigent and he is incarcerated in Ohio.

The Cuyahoga County Court of Common Pleas in the State of Ohio appointed counsel of record John Q. Lewis and Jon W. Oebker to represent David McGuire for his direct appeal. David McGuire also sought, and was granted, leave to proceed *in forma pauperis* for his trial, his appeal to the Ohio Eighth District Court of Appeals, and the Supreme Court of Ohio. Accordingly, under Rule 39.1 of this Court, an affidavit of David McGuire's indigent status is not required.

For all of these reasons, and in the interest of justice, Petitioner respectfully requests that his motion for leave to proceed *in forma pauperis* be granted.

Respectfully submitted,

/s/ John Q. Lewis

John Q. Lewis

\*Counsel of Record

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Counsel for Petitioner



98596321

**IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO**

THE STATE OF OHIO  
Plaintiff

DAVID MCGUIRE  
Defendant

Case No: CR-16-604957-A

Judge: JOHN P O'DONNELL

INDICT: 2903.01 AGGRAVATED MURDER /FRM1 /FRM3  
2903.02 MURDER /FRM1 /FRM3  
2903.11 FELONIOUS ASSAULT /FRM1 /FRM3  
ADDITIONAL COUNTS...

**JOURNAL ENTRY**

THE DEFENDANT'S 4/12/2017 ORAL MOTION FOR COURT-APPOINTED APPELLATE COUNSEL IS GRANTED.  
THE DEFENDANT REMAINS INDIGENT AND ATTORNEYS JOHN Q. LEWIS AND JOHN OEBKER ARE ASSIGNED AS  
COUNSEL ON APPEAL.  
TRANSCRIPTS ARE ORDERED TO BE PREPARED AT THE STATE'S EXPENSE.

04/20/2017  
CPJPO 04/24/2017 08:55:55

Judge Signature

04/24/2017

HEAR  
04/20/2017

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NAILAH K. BYRD, CLERK



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**IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO**

THE STATE OF OHIO  
Plaintiff

DAVID MCGUIRE  
Defendant

Case No: CR-16-604957-A

Judge: MICHAEL ASTRAB

INDICT: 2903.01 AGGRAVATED MURDER /FRM1 /FRM3  
2903.02 MURDER /FRM1 /FRM3  
2903.11 FELONIOUS ASSAULT /FRM1 /FRM3  
ADDITIONAL COUNTS...

**JOURNAL ENTRY**

DEFENDANT DECLARED INDIGENT.  
COURT ASSIGNED REIN, THOMAS A AND LUSKIN, JOHN P AS COUNSEL.  
READING OF INDICTMENT WAIVED.  
TWENTY-FOUR HOUR SERVICE WAIVED.  
DEFENDANT PLEAD NOT GUILTY TO INDICTMENT.  
ORIG BOND CONT AT 1,000,000.00 DOLLARS. BOND TYPE: CASH/SURETY/PROP..  
JUDGE O'DONNELL, JOHN P (340) ASSIGNED (MANUALLY).  
FIRST PRETRIAL SET FOR 04/22/2016 AT 09:00 AM IN COURT ROOM JC18D JUDGE JOHN P. O'DONNELL.

Judge Signature

04/15/2016

04/15/2016

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