

No. _____

**In The
Supreme Court of the United States**

—U—

Steven James,
Petitioner

v.

Commonwealth of Massachusetts
Respondent

—U—

**On Petition for Writ of Certiorari
to the Massachusetts Supreme Judicial Court**

—U—

**MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS**

—U—

The Petitioner, Steven James, respectfully requests leave to file the enclosed Petition for Writ of Certiorari without prepayment of costs and to proceed *In Forma Pauperis* per Supreme Court Rule 39.

In support thereof, counsel were appointed below for Steven James as an indigent juvenile homicide defendant in Massachusetts state courts pursuant to M.G.L. c.211D, and thus no affidavit or declaration is required. (See attached order of appointment). The filing of this petition is a continuation of that appointed representation of the petitioner.

WHEREFORE, the Petitioner Steven James prays for leave to
proceed *In Forma Pauperis*.

Respectfully submitted this 24th day of November 2018.

/s/ Rosemary Curran Scapicchio
Rosemary Curran Scapicchio
Counsel Of Record For Petitioner
107 Union Wharf
Boston, Massachusetts 02109
(617) 263-7400
scapicchio_attorney@yahoo.com
MA Bar No. 558312

/s/ Dennis M. Toomey
Dennis M. Toomey
4 High Street, Suite 211
North Andover, MA 01845
(857) 239-9999
toomey.attorney@gmail.com
MA Bar No. 676892

**NOTICE OF ASSIGNMENT
OF COUNSEL**

ASSIGNMENT NUMBER

C 51136326

Commonwealth of Massachusetts
Committee for Public Counsel Services
44 Bromfield St., Boston MA 02108
Telephone: 617-482-6212

DATE OF ASSIGNMENT

3/11/13

NAME OF ASSIGNING JUDGE

CPCS

NAME OF PERSON FOR WHOM COUNSEL ASSIGNED (Last Name, First Name)

Steven James W58406☐ Juvenile (J) ☐ Adult (A) Number of Child ClientsDOCKET
NO.

ENTER CPCS CODE OR CHAPTER & SECTION WITH DESCRIPTION

CPCS
CODE

CHAPTER

SECTION

DESCRIPTION

A 95298-75309**621****JLWOP Screening
Murder****B****C****D****E****F****POST TRIAL / APPEALS**

Purpose of Assignment

- ☐ Appeals Court or SJC (A) ☐ Revise and Revoke (R)
☐ Sentence Appeal (S) ☐ New Trial Motion (N)
☐ Probation Surrender (P) ☒ Other (O) **JLWOP Screening**

INDIGENCY DETERMINATION

- The court has found the above-named person
☒ Indigent or ☐ Indigent but able to contribute \$
The attorney or organization listed below is assigned to represent
this person in this action.

**STATUS PENDING
NEXT COURT APPEARANCE**

- ☐ Released
☐ Not Released
Bail \$ _____ No Bail _____
☒ Serving Other Sentence
☒ Committed
☐ Outpatient
☐ Community
☐ Not Applicable

COURT DIVISION

☐ JURY SESSION
(Check Here)**Plymouth Superior****COMPLETE THIS SECTION FOR
CHILDREN AND FAMILY LAW CASES**

Person Represented:

☐ Mother ☐ Father ☐ Guardian/Custodian

Name(s) of Additional Child Client(s):

Last Name

First Name

2 _____
3 _____
4 _____
5 _____
6 _____

NEXT COURT DATE

FOR:

- ☐ Bench or Jury Trial (T) ☐ Pre-Trial (P)
☐ Probable Cause (C) ☐ Other (O)

CHECK ONE OF THE FOLLOWING:☐ CPCS Staff Office

Local Office # _____

(See reverse side for address and telephone number.)

☐ Senior Law Student under Rule 3.03

Name of Program

- ☐ Attorney to be named by CPCS for Appeals Court/SJC/Murder Cases/
Rule 30 Motions/SDP /Civil Commitment. Send to: **CPCS**
44 Bromfield St.
Boston, MA 02108

☐ Private Counsel

PLEASE PRINT

BBO# **558312**
REQUIREDNAME FIRST MIDDLE LAST
Rosemary ScapicchioSTREET
107 Union WharfCITY
BostonSTATE
MATELEPHONE
617 263 7400CRIMINAL CASE INFORMATION CONTACT: BAR ADVOCATE PROGRAM NO: _____
(SEE REVERSE SIDE FOR ADDRESS AND TELEPHONE NUMBER.)

- ☐ Assignment For Purpose of Bail Hearing, Bail Review or
Arraignment Only

AUTHORIZED SIGNATURE

PRINT NAME

BARBARA KASIAN**INSTRUCTIONS TO THE COURT**

1. Forward white copy to Committee for Public Counsel Services, 44 Bromfield St., Boston, MA 02108
2. Retain green copy for court file.
3. Remaining copies are color coded as follows: pink—client, blue—bar advocate program, goldenrod—attorney.