

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		COURT DIVISION <input type="checkbox"/> JURY SESSION (Check Here)		
NAME OF PERSON FOR WHOM COUNSEL ASSIGNED (Last Name, First Name) Steven James W58406					
<input type="checkbox"/> Juvenile (J) <input type="checkbox"/> Adult (A) Number of Child Clients					
DOCKET NO.	ENTER CPCS CODE OR CHAPTER & SECTION WITH DESCRIPTION				
	CPCS CODE	CHAPTER	SECTION	DESCRIPTION	
A 95298-75307 (2)			JLWOP Screening <i>Murder</i>		
B					
C					
D					
E					
F					
POST TRIAL / APPEALS Purpose of Assignment			STATUS PENDING NEXT COURT APPEARANCE <input type="checkbox"/> Released <input type="checkbox"/> Not Released Bail \$ _____ No Bail _____ <input type="checkbox"/> Serving Other Sentence <input checked="" type="checkbox"/> Committed <input type="checkbox"/> Outpatient <input type="checkbox"/> Community <input type="checkbox"/> Not Applicable		
<input type="checkbox"/> Appeals Court or SJC (A) <input type="checkbox"/> Revise and Revoke (R) <input type="checkbox"/> Sentence Appeal (S) <input type="checkbox"/> New Trial Motion (N) <input type="checkbox"/> Probation Surrender (P) <input type="checkbox"/> Other (O) <i>JLWOP</i>			NEXT COURT DATE / / FOR: <input type="checkbox"/> Bench or Jury Trial (T) <input type="checkbox"/> Pre-Trial (P) <input type="checkbox"/> Probable Cause (C) <input type="checkbox"/> Other (O)		
INDIGENCY DETERMINATION The court has found the above-named person <input type="checkbox"/> Indigent or <input type="checkbox"/> Indigent but able to contribute \$ _____ The attorney or organization listed below is assigned to represent this person in this action.					
CHECK ONE OF THE FOLLOWING:					
<input type="checkbox"/> CPCS Staff Office Local Office # _____ (See reverse side for address and telephone number.)			<input type="checkbox"/> Private Counsel PLEASE PRINT BBO# 558312 REQUIRED <i>Rosemary Scapicchio</i> NAME FIRST MIDDLE LAST <i>107 Union Wharf</i> STREET <i>Boston</i> CITY STATE MA ZIP 02109 TELEPHONE 617 263 7400 CRIMINAL CASE INFORMATION CONTACT: BAR ADVOCATE PROGRAM NO: _____ (SEE REVERSE SIDE FOR ADDRESS AND TELEPHONE NUMBER.)		
<input type="checkbox"/> Senior Law Student under Rule 3.03 Name of Program <input type="checkbox"/> Attorney to be named by CPCS for Appeals Court/SJC/Murder Cases/ Rule 30 Motions/SDP/Civil Commitment. Send to: CPCS <i>44 Bromfield St.</i> <i>Boston, MA 02108</i>			AUTHORIZED SIGNATURE <i>Barbara Kagan</i> PRINT NAME		
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.					