

IN THE
SUPREME COURT OF THE UNITED STATES

DEXTER LEON SURRATT,

Petitioner

v.

STATE OF NORTH CAROLINA,

Respondent

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner, Dexter Leon Surratt, by and through his undersigned counsel, asks leave to file the attached Petition for Writ of Certiorari to the Supreme Court of North Carolina without prepayment of fees and costs, and to proceed *in forma pauperis*, pursuant to Rule 39 of the Rules of this Court.

Pursuant to N.C. Gen. Stat. § 7A-451, the courts below appointed counsel for Mr. Surratt, who is indigent. The document demonstrating appointment of counsel is attached hereto as Exhibit A.

[signature block on following page]

Respectfully submitted this 3rd day of December, 2018.

/s/ Drew Nelson
DREW NELSON
Counsel of Record

The Epstein Law Firm PLLC
P.O. Box 189
Raleigh, NC 27602-0189
Phone: (919) 780-5801

Attorney for Petitioner

EXHIBIT A

**APPOINTMENT OF APPELLATE COUNSEL
BY THE APPELLATE DEFENDER**

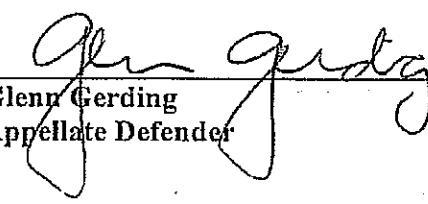
STATE OF NORTH CAROLINA)
)
 v.)
)
 DEXTER LEON SURRATT)
 15 CRS 4600-01)
 Catawba County)

Defendant having been convicted of a criminal offense in this action and having given notice of appeal to the North Carolina Court of Appeals, and the Trial Court having appointed the Appellate Defender as appellate counsel for the defendant, the Appellate Defender appoints the attorney named below as appellate counsel to perfect defendant's appeal, pursuant to IDS Rules, Part 3. A copy of the Court's Appellate Entries is attached to the copy of this Appointment Notice that has been transmitted to the appointed appellate counsel. The original of this Appointment Notice has been mailed to the Clerk of Superior Court for filing.

Appointed Appellate Counsel:

Andrew Hartley Nelson
P.O. Box 189
Raleigh, North Carolina 27602-0189
Telephone 919-780-5801
Facsimile 919-882-8808
Email dnelson@epsteinlawnc.com

This the 8th day of September, 2017.



Glenn Gerding
Appellate Defender

In addition to the appointed appellate counsel named above, the Office of the Appellate Defender has provided a copy of this Appointment Notice to all parties as listed on the Appellate Entries, including the defendant and the court reporter.

ATTENTION CLERK OF COURT. File this Appointment Notice in your office. Please mail a photocopy of the complete court file, including documentary exhibits, to Mr. Nelson.