

No. 18-

---

---

**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. )

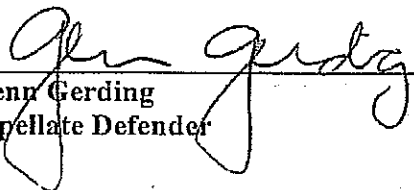
DEXTER LEON SURRETT )  
15 CRS 4600-01 )  
Catawba County )

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 8<sup>th</sup> 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.