
No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Term, _____

DANIEL HOSTETLER

Petitioner,

v.

COMMONWEALTH OF KENTUCKY,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE KENTUCKY COURT OF APPEALS

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

The Petitioner, Daniel Hostetler, asks leave to file the attached Petition for a Writ of Certiorari to the Kentucky Court of Appeals without prepayment of costs and to proceed *in forma pauperis* pursuant to Rule 39. The Petitioner was appointed a public defender and allowed to proceed *in forma pauperis* in the Hart Circuit Court, upon appropriate motion. The order appointing the Department of Public Advocacy to represent the Petitioner pursuant to KRS Chapter 31 is attached to this motion. The Petitioner prevailed in the circuit court, and the Commonwealth sought appeal.

Therefore, the Petitioner was not required to seek leave to proceed *in forma pauperis* in the Kentucky Court of Appeals, but he continued to be represented by a public defender pursuant to KRS Chapter 31 in that proceeding. The Petitioner prays that this Court allow him to proceed *in forma pauperis*.

Respectfully submitted,

/s/ Aaron Reed Baker
Aaron Reed Baker
Counsel of Record for Petitioner
Department of Public Advocacy
5 Mill Creek Park, Suite 100
Frankfort, Kentucky 40601
(502) 564-8006
aaron.baker@ky.gov

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