#### IN THE SUPREME COURT OF THE UNITED STATES

JULIUS DARIUS JONES, Petitioner,

vs.

STATE OF OKLAHOMA, Respondent.

## ON PETITION FOR WRIT OF CERTIORARI TO THE OKLAHOMA COURT OF CRIMINAL APPEALS

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

Pursuant to Supreme Court Rule 39, Petitioner Julius Darius Jones hereby seeks leave to proceed *in forma pauperis* before this Court in the above-captioned case on the ground that he lacks sufficient funds to pay for fees and expenses. Mr. Jones is a death-row prisoner incarcerated at the Oklahoma State Penitentiary.

On November 15, 2007, the United States District Court for the District of Oklahoma appointed federal habeas counsel for Mr. Jones pursuant to his request for appointed counsel under 21 U.S.C. § 848(q)(4) and *McFarland v. Scott*, 512 U.S. 849 (1994). Appendix A. A subsequent order of appointment is also attached. Appendix

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<sup>&</sup>lt;sup>1</sup> 21 U.S.C. § 848(q)(4) is now codified at 18 U.S.C. § 3599(a)(2).

B. Accordingly, Mr. Jones is entitled to proceed *in forma pauperis* before this court.

Respectfully submitted:

January 25, 2019.

JON M. SANDS Federal Public Defender District of Arizona

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Counsel for Petitioner Jones

### Jones v. State of Oklahoma

## APPENDIX TO MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pro Se Request for Appointment of Coun	sel, Nov. 14, 2007 [	[Dist. Ct. Doc. No. 1]	App. A
District Court Order, November 15, 2007	[Dist. Ct. Doc. No.	5]	Арр. В

# APPENDIX A

# APPENDIX A

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

JULIUS DARIUS JONES,	)
Petitioner,	)
v.	) No. CIV-07-1290-D
MARTY SIRMONS, Warden,	)
Respondent.	)

#### ORDER

This matter having been referred to the undersigned to conduct case management proceedings, and upon Petitioner's request for court-appointed counsel, the Court appoints Mark H. Barrett, P.O. Box 896, Norman, Oklahoma 73070, (405) 364-8367, to represent Petitioner in federal habeas corpus proceedings before this Court.

Counsel for Petitioner is directed to obtain a complete copy of the state court record within thirty days of the date of this Order. A case management conference will be conducted before the undersigned on December 18, 2007, at 10:00 a.m. to set dates for the filing of pleadings. At the conclusion of the case management conference, counsel for Petitioner will meet with the undersigned ex parte to discuss a litigation budget for the case.

IT IS SO ORDERED this \_\_\_\_\_ day of November, 2007.

GARY M. PURCELL UNITED STATES MAGISTRATE JUDGE

# APPENDIX B

# APPENDIX B

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

JULIUS DARIUS JONES,	)
Petitioner,	)
V.	) ) CIV-07-1290-D
Kevin Duckworth, Interim Warden,	)
Oklahoma State Penitentiary,	)
Respondent.	<i>)</i>

#### ORDER APPOINTING ADDITIONAL COUNSEL

IT IS ORDERED that Petitioner's Motion to Appoint additional counsel is GRANTED. Jon M. Sands, Federal Public Defender for the District of Arizona is appointed as co-counsel for the Petitioner in this federal habeas corpus proceeding. The Federal Public Defender is authorized to designate an Assistant Federal Public Defender to handle the case. Appointment is made pursuant to 18 U.S.C. § 3599(a)(2) and (e).

IT IS FURTHER ORDERED that the designated Assistant Federal Public Defender shall file a notice of appearance with the Court within ten (10) days.

Entered this	1 st	day of	August, 2016.
Lincica ans	1	uay or	August, 2010.

GARY M. DURCELL
UNITED STATES MAGISTRATE JUDGE