

CAPITAL CASE No. \_\_\_\_\_

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IN THE  
**Supreme Court of the United States**

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**ABEL REVILL OCHOA,**

*Petitioner*

V.

**LORIE DAVIS,**

**DIRECTOR, TEXAS DEPARTMENT OF  
CRIMINAL JUSTICE**

*Respondent*

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**ON PETITION FOR A WRIT OF CERTIORARI TO  
THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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

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JASON D. HAWKINS  
Federal Public Defender  
Jeremy Schepers (#304861)\*  
Supervisor, Capital Habeas Unit  
*\*Counsel of Record*  
Nadia Wood (#291584)  
Derek VerHagen (#308525)  
Assistant Federal Public Defenders  
Office of Federal Public Defender  
Northern District of Texas  
525 S. Griffin Street, Suite 629  
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Attorney at Law  
P.O. Box 1300  
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806-592-2797  
806-592-9136 (fax)  
Paul@PaulMansurLaw.com

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IN THE  
**Supreme Court of the United States**

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ABEL REVILL OCHOA,  
*Petitioner*

v.

LORIE DAVIS,  
*Respondent*

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

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Petitioner asks for leave to file the attached petition for a writ of certiorari without prepayment of fees and to proceed *in forma pauperis*.

Petitioner is currently incarcerated at the Texas Department of Criminal Justice's Polunsky Unit in Livingston, Texas. He has previously sought and been granted leave to proceed *in forma pauperis* in the United States District Court for the Northern District of Texas. A copy of that order is attached.

Petitioner's affidavit or declaration of indigency is not attached because the court below appointed counsel pursuant to 18 U.S.C. § 3599. Copies of the appointment orders are appended.

DATED: April 12, 2019

Paul Mansur (TX 00796078)  
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Respectfully submitted,

JASON D. HAWKINS  
Federal Public Defender

by

/s/ Jeremy Schepers  
Jeremy Schepers (#304861)\*  
Supervisor, Capital Habeas Unit  
*\*Counsel of Record*

Nadia Wood (#291584)  
Derek VerHagen (#308525)  
Assistant Federal Public Defenders  
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*Counsel for Abel Revill Ochoa*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ABEL REVILL OCHOA,	§	
<i>Petitioner,</i>	§	
	§	
V.	§	Civil Action No. 3:09-CV-2277-K
	§	ECF
RICK THALER, Director,	§	(Death Penalty Case)
Texas Department of Criminal Justice	§	
Correctional Institutions Division,	§	
<i>Respondent.</i>	§	

**ORDER APPOINTING COUNSEL**

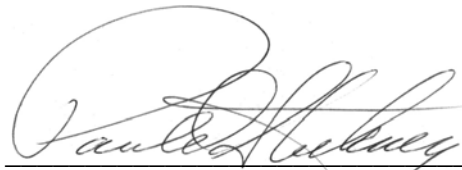
On November 30, 2009, Abel Revill Ochoa (“Petitioner”) filed a *Motion for Appointment of Counsel* (doc. #1). Having reviewed the motion to appoint counsel, the Court finds that Petitioner is entitled to the appointment of counsel by the provisions of 18 U.S.C. § 3599(a)(2). *See McFarland v. Scott*, 512 U.S. 849, 855-58 (1994). The Court further finds that attorney **Alexander Lee Calhoun** possesses the background, knowledge, and experience to enable him to represent Petitioner with due consideration to the seriousness of the possible penalty and the unique and complex nature of the litigation, and is qualified and willing to accept this appointment as lead counsel. Accordingly, the Court orders as follows:

IT IS, THEREFORE, ORDERED that Petitioner’s *Motion for Appointment of Counsel* (doc. #1) should be, and it is hereby GRANTED, that **Alexander Lee Calhoun** is hereby appointed as lead counsel to represent Petitioner in this cause. Appointed counsel is entitled to compensation in accordance with Volume VII, Chapter II, of the Guide to Judicial Policies and Procedures, which Counsel is directed to read along with the instructions for form CJA 30 in order to ensure proper compensation for time and expenses incurred herein.

A copy of this Order along and CJA 30 forms shall be provided to appointed counsel at the following addresses:

LEAD COUNSEL     **Alexander Lee Calhoun**  
Law Office of Alexander Lee Calhoun  
7010 W Highway 71  
Austin, TX 78735-8300  
(512) 420-8850

DATED January 22, 2010.



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PAUL D. STICKNEY  
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 17-70016

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ABEL REVILL OCHOA,

Petitioner - Appellant

v.

LORIE DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL  
JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

Respondent - Appellee

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Appeal from the United States District Court  
for the Northern District of Texas

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O R D E R:

IT IS ORDERED that the attorney motion for the appointment of Mr.  
Jason Hawkins as co-counsel is GRANTED.

LYLE W. CAYCE, CLERK  
United States Court of Appeals  
for the Fifth Circuit  
/s/ Lyle W. Cayce

ENTERED AT THE DIRECTION OF THE COURT

***United States Court of Appeals***  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

February 28, 2018

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 17-70016 Abel Ochoa v. Lorie Davis, Director  
USDC No. 3:09-CV-2277

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Monica R. Washington, Deputy Clerk  
504-310-7705

Mr. Jason Douglas Hawkins  
Mr. Stephen M. Hoffman  
Mr. Paul Edward Mansur