

CASE NO.: _____

IN THE SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 2019

FREDERICK EDWARD BRAXTON
Petitioner

vs.

STATE OF TENNESSEE
Respondent

MOTION TO PROCEED *IN FORMA PAUPERIS*

The Petitioner asks leave to file the attached petition for a writ of *certiorari* without prepayment of costs and to proceed *in forma pauperis*. Petitioner has previously been granted leave to proceed *in forma pauperis* in the Tennessee Court of Criminal Appeals and Tennessee Supreme Court. Petitioner's financial affidavit in support of this motion is attached hereto.

This is the 28th day of March, 2019.

Respectfully Submitted:

Gregory D. Smith
Pro Bono Attorney for Petitioner
BPR #013420
331 Franklin Street, Ste. 1
Clarksville, TN 37040
(931) 647-1299

CERTIFICATE OF SERVICE

I, Gregory D. Smith, hereby certify that a true and accurate copy of the foregoing has been mailed, adequate postage prepaid, to the following on this the 28th day of March, 2019.

/s/Gregory D. Smith

Gregory D. Smith

- | | |
|--|---|
| 1. TN Atty. Gen. (Crim. Div.)
ATTN: David Findley H. Findley
P.O. Box 20207
Nashville, TN 37202 | 4. Solicitor General of the U.S.
10 th Street & Constitution Ave., NW
Washington, DC 20530 |
| 2. Wesley King, Asst. D.A.
c/o Davidson County District Attorneys' Office
222 Second Ave, North, Suite 500
Nashville, TN 37201-1649 | |
| 3. Frederick Edward Braxton, #332561
MCCC
P.O. Box 2000
Wartburg, TN 37887 | |

CERTIFICATE OF SERVICE

Pursuant to the instructions of the U.S. Supreme Court Clerk's office, dated April 2, 2019, I, Gregory D. Smith, hereby certify that a true and accurate copy of the foregoing has been mailed, adequate postage prepaid, to the following on this the 10th day of May, 2019, with only the corrections made as required by the Clerk's office.

/s/Gregory D. Smith

Gregory D. Smith

1. TN Atty. Gen. (Crim. Div.)
ATTN: David Findley H. Findley
P.O. Box 20207
Nashville, TN 37202
2. Wesley King, Asst. D.A.
c/o Davidson County District Attorneys' Office
222 Second Ave, North, Suite 500
Nashville, TN 37201-1649
3. Frederick Edward Braxton, #332561
MCCC
P.O. Box 2000
Wartburg, TN 37887
4. Solicitor General of the U.S.
10th Street & Constitution Ave., NW
Washington, DC 20530