

Capital Case No. _____

IN THE
Supreme Court of the United States

JUAN RAMON MEZA SEGUNDO,
Petitioner

v.

LORIE DAVIS,
Respondent

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

JASON D. HAWKINS
Federal Public Defender
Northern District of Texas

JEREMY SCHEPERS
Supervisor, Capital Habeas Unit

Jessica Graf (#305125)
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May 10, 2019

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MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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 following courts:

- the United States Court of Appeals for the Fifth Circuit; and
- the United States District Court for the Northern District of Texas.

Petitioner's affidavit or declaration of indigency is not attached because the court below appointed counsel in the current proceeding, pursuant to 18 U.S.C. § 3599. A copy of the appointment order is appended.

Respectfully submitted,

/s/ Jessica Graf
Jessica Graf (#305125)
Assistant Federal Defender
Capital Habeas Unit
Office of Federal Public Defender
Northern District of Texas
525 S. Griffin St., Ste. 629
Dallas, TX 75202
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Jessica_Graf@fd.org

*Counsel of record for
Petitioner Juan Segundo*

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JUAN RAMON MEZA SEGUNDO,
Petitioner,

v.

LORIE DAVIS, Director,
Texas Department of Criminal
Justice, Correctional
Institutions Division,
Respondent.

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No. 4:10-CV-970-Y

(Death Penalty Case)

ORDER SUBSTITUTING COUNSEL

Petitioner Juan Ramon Meza Segundo has filed an opposed motion for the substitution of counsel. (Motion, doc. 79.) Respondent Lorie Davis has filed her response in opposition. (Resp., doc. 80.) Because the substitution appears necessary in light of counsel's change in employment, the motion is granted.

Having reviewed the motion and application, the Court previously found that Petitioner is entitled to proceed *in forma pauperis* and to the appointment of counsel by the provisions of 21 U.S.C. § 848(q)(4)(B) (current version at 18 U.S.C. § 3599(a)(2)). (Order, doc. 3 (citing *McFarland v. Scott*, 512 U.S. 849, 855-58 (1994)); Order, doc. 8.) The Court previously appointed Alexander Calhoun as lead counsel for Segundo, who has accepted employment that precludes his continued representation of Segundo. (Order, doc. 3; Motion at 2.) The Court further finds that **the Capital Habeas Unit of the office of the Federal Public Defender for the Northern District of Texas** is qualified and willing to be appointed as lead counsel

to represent Segundo in accordance with 18 U.S.C. § 3599(c). (Motion at 2-3.)

Petitioner's motion for substitution of counsel (doc. 79) is **GRANTED** and, in accordance with Guide § 440, the Capital Habeas Unit of the office of the Federal Public Defender for the Northern District of Texas is **substituted** for Alexander Calhoun as lead counsel for Segundo. Alexander Calhoun's appointment is **terminated** by this order, and he is relieved of all further duties in Petitioner's cause. A copy of this order shall be provided to appointed counsel at the following address:

LEAD COUNSEL Capital Habeas Unit
 Federal Public Defender for the Northern
 District of Texas
 525 S. Griffin St., Suite 629
 Dallas, TX 75202
 Phone: (214) 767-2746

IT IS SO ORDERED.

SIGNED December 1, 2017.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE

TRM/rs