

No. **18-9310** **ORIGINAL**

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
MAY 03 2019  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Roberto Nieto Cruz — PETITIONER  
(Your Name)

VS.

State of Texas — RESPONDENT(S)

MOTION FOR LEAVE 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*.

Please check the appropriate boxes:

☐ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☒ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: \_\_\_\_\_, or

☒ a copy of the order of appointment is appended.

Roberto N. Cruz.  
(Signature)

THE STATE OF TEXAS

IN THE 147th District Court

VS

OF

**CRUZ, ROBERTO NIETO**

TRAVIS COUNTY, TEXAS

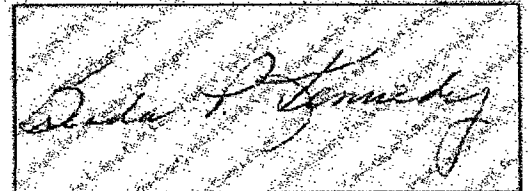
DOB: 6/30/1981

**FINDING OF INDIGENCY**

In the above styled and numbered cause the Court finds the Defendant is indigent and in need of legal services pursuant to the Code of Criminal Procedure, Article 26, to wit:

- 1) The Defendant is presumed indigent, as defined in the Travis County Fair Defense Act Program Standards and Procedures; or
- 2) The Defendant is otherwise unable to retain private counsel without substantial hardship to the Defendant or the Defendant's dependents.

It is therefore ORDERED that the Program Administrator, the Capital Area Private Defender Service, shall assign a qualified attorney to represent this defendant as authorized in Article 26.047 of the Texas Code of Criminal Procedure.

A rectangular box containing a handwritten signature in cursive script, which appears to read "Linda P. Kennedy".

Date: 6/30/2016

Judge Presiding

Appt ID: 1046554

**ASSIGNMENT OF COUNSEL**

The Court having found this Defendant indigent, the Capital Area Private Defender Service, assigns **Eric McDonald** to represent the defendant in this cause. Assignment of said attorney complies with the Travis County Fair Defense Act Program Standards and Procedures and all written policies of the Capital Area Private Defender Service.

THE STATE OF TEXAS

IN THE 147th District Court

VS

OF

**CRUZ, ROBERTO NIETO**

TRAVIS COUNTY, TEXAS

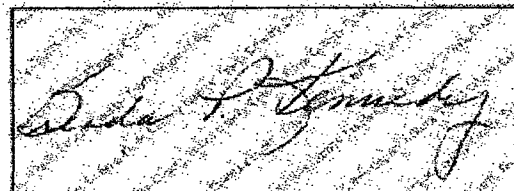
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- 2) The Defendant is otherwise unable to retain private counsel without substantial hardship to the Defendant or the Defendant's dependents.

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A rectangular box containing a handwritten signature in cursive script, which appears to read "Linda S. Kennedy".

Date: 9/12/2016

Judge Presiding

Appt ID: 1051475

**ASSIGNMENT OF COUNSEL**

The Court having found this Defendant indigent, the Capital Area Private Defender Service, assigns **Alexander L Calhoun** to represent the defendant in this cause. Assignment of said attorney complies with the Travis County Fair Defense Act Program Standards and Procedures and all written policies of the Capital Area Private Defender Service.

THE STATE OF TEXAS

IN THE 147th District Court

VS

OF

CRUZ, ROBERTO NIETO

TRAVIS COUNTY, TEXAS

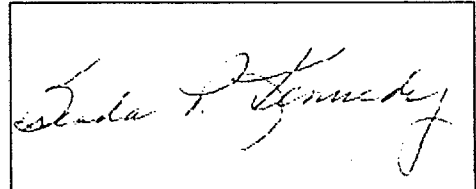
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- 1) The Defendant is presumed indigent, as defined in the Travis County Fair Defense Act Program Standards and Procedures; or
- 2) The Defendant is otherwise unable to retain private counsel without substantial hardship to the Defendant or the Defendant's dependents.

It is therefore ORDERED that the Program Administrator, the Capital Area Private Defender Service, shall assign a qualified attorney to represent this defendant as authorized in Article 26.047 of the Texas Code of Criminal Procedure.



Date: 1/3/2018

Judge Presiding

Appt ID: 1085282

**ASSIGNMENT OF COUNSEL**

The Court having found this Defendant indigent, the Capital Area Private Defender Service, assigns **Drew Phipps** to represent the defendant in this cause. Assignment of said attorney complies with the Travis County Fair Defense Act Program Standards and Procedures and all written policies of the Capital Area Private Defender Service.