

Capital Case

Case No. 19-1105

In the Supreme Court of the United States

Tommy Sharp, Interim Warden,
Oklahoma State Penitentiary,
Petitioner,

v.

Jimmy Dean Harris,
Respondent.

On Petition for Writ of Certiorari to the
United States Court of Appeals for the Tenth Circuit

**MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*
RESPONDENT'S BRIEF IN OPPOSITION**

Respondent, Mr. Harris, respectfully requests leave of this Court to file Respondent's Brief in Opposition to Petitioner's Petition for Writ of Certiorari without payment of costs and to proceed *in forma pauperis* pursuant to Rule 39 of the *Rules of the Supreme Court of the United States* and 18 U.S.C. § 3006A(d)(7). In support thereof, Respondent states as follows:

Jimmy Dean Harris is in the custody of the State of Oklahoma, Oklahoma Department of Corrections, Oklahoma State Penitentiary, incarcerated under a conviction of first-degree murder for which he has been sentenced to death.

Mr. Harris is indigent and has been represented by court-appointed counsel throughout the proceedings against him. On April 11, 2008, the United States District Court for the Western District of Oklahoma, Case No. CIV-08-375-F (Doc. 4), appointed court-appointed counsel, Jack Fisher, to represent Mr. Harris in federal habeas corpus proceedings. On June 8, 2017, the Tenth Circuit Court of Appeals granted counsel's Motion to Continue CJA Appointment on Appeal, Case No. 17-6109, and appointed counsel Jack Fisher and the Federal Public Defender's Office to represent Mr. Harris pursuant to 18 U.S.C. §§ 3006A(c) and 3599(a)(2). *See* Order filed June 8, 2017. This filing is in compliance with Sup. Ct. R. 39.1 and 39.2 and is preceded and attached to the front of each copy of Respondent's Brief in Opposition.

Respectfully submitted,

s/Emma V. Rolls

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JIMMY DEAN HARRIS

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Dated this 18th day of May, 2020