

CAPITAL CASE

NO. _____

IN THE

SUPREME COURT OF THE UNITED STATES

DAVID A. WESTERFIELD, PETITIONER

VS.

STATE OF CALIFORNIA, RESPONDENT

ON PETITION FOR WRIT OF CERTIORARI
TO THE CALIFORNIA SUPREME COURT

PETITION FOR A WRIT OF CERTIORARI

**PETITIONER'S MOTION TO PROCEED ON WRIT OF
CERTIORARI IN FORMA PAUPERIS**

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(510) 452-3126

Counsel of Record for Petitioner,
DAVID A. WESTERFIELD

**MOTION TO PROCEED ON WRIT OF CERTIORARI
*IN FORMA PAUPERIS***

Pursuant to Rule 39 of this Court, Petitioner David A. Westerfield requests leave to file the accompanying Petition for Writ of Certiorari without prepayment of fees or costs, and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the California Supreme Court pursuant to California Penal Code section 1240.

A copy of the California Supreme Court's order appointing undersigned counsel for the state direct appeal is attached as Appendix A.

Dated: July 3, 2019

Respectfully submitted,

/s/ Mark D. Greenberg
Attorney for David Westerfield

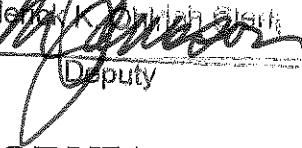
APPENDIX A

**ORDER OF CALIFORNIA SUPREME COURT
APPOINTING COUNSEL FOR INDIGENT APPELLANT**

SUPREME COURT
FILED

DEC 11 2007

No. S112691

Frederick K. Doolan, Clerk

Deputy

IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE, Respondent,

v.

DAVID ALAN WESTERFIELD, Appellant.

Upon request of appellant for appointment of counsel, Mark D. Greenberg is hereby appointed to represent appellant David Alan Westerfield for the direct appeal in the above automatic appeal now pending in this court.


George
Chief Justice