

No. _____

**IN THE
SUPREME COURT OF
THE UNITED STATES OF AMERICA
October Term, 2018**

TRACY LANE SALDAÑO,
Petitioner

v.

**LORIE DAVIS, DIRECTOR,
TEXAS DEPARTMENT OF CRIMINAL JUSTICE,
INSTITUTIONAL DIVISION,**
Respondent

**PETITION FOR A WRIT OF CERTIORARI TO THE
COURT OF APPEALS FOR THE FIFTH CIRCUIT**

MOTION TO PROCEED *IN FORMA PAUPERIS*

TO THE HONORABLE CHIEF JUSTICE AND THE ASSOCIATE JUSTICES OF THE
SUPREME COURT OF THE UNITED STATES:

COMES NOW, Victor Hugo Saldaño, Petitioner, files this his Motion to Proceed *In Forma Pauperis*, pursuant to Supreme Court Rule 39, and would show the Court as follows:

1. The United States District Court for the Eastern District of Texas previously appointed the undersigned counsel under the Criminal Justice Act of 1964. Also, that court has granted Petitioner leave to proceed *in forma pauperis*. A copy of that order is attached. Since that time, Petitioner has been continuously incarcerated on death row and his financial condition has not improved.

WHEREFORE, PREMISES CONSIDERED, Victor Hugo Saldaño, Petitioner, prays that the Court grant this Motion and allow him to proceed with the filing of his Petition for Writ of Certiorari and all other proceedings before this Honorable Court, *in forma pauperis*.

Respectfully submitted,

/s/ Thomas Scott Smith

By: _____
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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

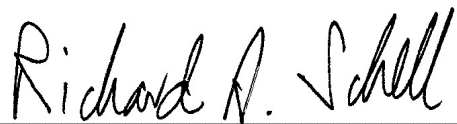
SHERMAN DIVISION

VICTOR HUGO SALDAÑO,	§	
Petitioner,	§	
v.	§	Civil Action No. 4:08cv193
NATHANIEL QUARTERMAN,	§	
Director, Texas Department of	§	
Criminal Justice, Correctional	§	
Institutions Division,	§	
Respondent.		

ORDER APPOINTING COUNSEL

This matter comes before the Court on petitioner Victor Hugo Saldaño's ("Saldaño's") motion for appointment of counsel(docket entry #10), filed on December 19, 2008. The Court, having considered the circumstances alleged and authorities cited in the motion, finds that it is well-taken in part and it will be granted in part. IT IS THEREFORE ORDERED that Scott Smith, 120 S. Crockett, P.O. Box 354, Sherman, TX 75091-0354, (903) 868-8686, is appointed to represent Saldaño in his federal *habeas corpus* proceedings. Attorney Smith will be compensated at the rate of \$170.00 per hour, and interim billing will be allowed.

SIGNED this the 12th day of January, 2009.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE