

Capital Case

Case No. _____

In the Supreme Court of the United States

RICKY RAY MALONE,

Petitioner,

v.

MIKE CARPENTER, Warden,

Oklahoma State Penitentiary,

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Mr. Malone respectfully requests leave to file the attached *Petition for Writ of Certiorari to the United States Court of Appeals for the Tenth Circuit* without payment of costs and to proceed *in forma pauperis* pursuant Rule 39 of the Rules of the Supreme Court of the United States. In support thereof, Petitioner Ricky Malone states as follows:

Petitioner, Ricky Malone, is in the custody of the State of Oklahoma, Oklahoma Department of Corrections, incarcerated under a conviction of first-degree murder for which he has been sentenced to death. Mr. Malone is currently housed at the Oklahoma Forensic Center in Vinita, Oklahoma, pursuant stipulated court Order dated October 26, 2017.

Mr. Malone is indigent and has been represented by appointed counsel throughout the proceedings against him. On October 23, 2013, the United States District Court for the Western District of Oklahoma, Case No. CIV-13-1115-D, appointed Robert Jackson to represent Mr. Malone pursuant 18 U.S.C. § 3006A. The Office of the Federal Public Defender for the Western District of Oklahoma was appointed as co-counsel in its Order dated November 5, 2013. The Tenth Circuit Court of Appeals granted counsel's Motion to Continue CJA Appointment on Appeal in Case No. 17-6027, Order issued February 16, 2017. This motion precedes and is attached to the Petition for Writ of Certiorari in compliance with Sup. Ct. R. 39.2.

Respectfully submitted,

s/ Robert S. Jackson
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COUNSEL FOR PETITIONER, RICKY RAY MALONE

Dated this 15th day of July, 2019