

Capital Case

Case No. _____

In the Supreme Court of the United States

KENDRICK ANTONIO SIMPSON,
Petitioner,

v.

TOMMY SHARP, INTERIM WARDEN¹,
Oklahoma State Penitentiary,
Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Mr. Simpson 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 and pursuant 18 U.S.C. § 3006A(d)(7). In support thereof, Petitioner Simpson states as follows:

Kendrick Simpson, Petitioner, 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.

¹ On July 15, 2019, Mr. Sharp became Interim Warden of the Oklahoma State Penitentiary. Pursuant Fed. R. Civ. P. 25(d), he is substituted as party respondent in place of Mike Carpenter.

Mr. Simpson is indigent and has been represented by appointed counsel throughout the proceedings against him. On January 31, 2011, the United States District Court for the Western District of Oklahoma, Case No. CIV-11-96-M, appointed the Federal Public Defender's Office to represent Mr. Simpson pursuant 18 U.S.C. § 3006A. The Tenth Circuit Court of Appeals granted counsel's Motion to Continue CJA Appointment on Appeal in Case No. 16-6191, Order issued August 15, 2016. This motion precedes and is attached to the Petition for Writ of Certiorari in compliance with Sup. Ct. R. 39.2.

Respectfully submitted,

s/ Sarah M. Jernigan

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COUNSEL FOR PETITIONER

Dated this 22nd day of July, 2019

* Counsel of Record