

No. \_\_\_\_\_

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**IN THE SUPREME COURT OF THE UNITED STATES**

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SCOTT THOMAS ERSKINE, *Petitioner*,

v.

STATE OF CALIFORNIA, *Respondent*.

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ON PETITION FOR A WRIT OF CERTIORARI TO  
THE SUPREME COURT OF CALIFORNIA

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

CAPITAL CASE — NO EXECUTION DATE SET

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Counsel of Record for Petitioner  
Scott Thomas Erskine

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

Pursuant to Rule 39 of this Court, Petitioner Scott Thomas Erskine 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 appended hereto.

Dated: October 7, 2019

/s/

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SUPREME COURT  
**FILED**

JUN 25 2008

Frederick K. Ohlrich Clerk

S127621

Deputy

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**IN THE SUPREME COURT OF CALIFORNIA**  
**En Banc**

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THE PEOPLE, Respondent,

v.

SCOTT THOMAS ERSKINE, Appellant.

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Upon request of appellant for appointment of counsel, Kimberly J. Grove is hereby appointed to represent appellant Scott Thomas Erskine for the direct appeal in the above automatic appeal now pending in this court.

George, C.J., was absent and did not participate.  
Corrigan, J., was absent and did not participate.

**CHIN**

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Acting Chief Justice