

CAPITAL CASE

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

David Keen,
Petitioner,
v.

STATE OF TENNESSEE
Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE TENNESSEE SUPREME COURT

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner David Keen seeks leave to file the attached petition for the writ of certiorari without payment of costs and to proceed in *forma pauperis* pursuant to Supreme Court Rule 39. Petitioner is a death row inmate who is currently incarcerated at Riverbend Maximum Security Institution in Nashville, Tennessee. He is indigent and without income or assets.

- Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s): United States District Court for the Western District of Tennessee and the United States Court of Appeals for the Sixth Circuit

- Petitioner's affidavit or declaration is *not* attached to his affidavit or declaration because his counsel were appointed by the district court pursuant to the Criminal Justice Act.
- Petitioner has attached a copy of the order of appointment.

Respectfully submitted,

Kelley J. Henry*
Supervisory Asst. Federal Public
Defender
**Counsel of Record*

AMY D. HARWELL
Assistant Chief Capital Habeas Unit

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FEDERAL PUBLIC DEFENDER
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing petition for writ of certiorari, and accompanying appendix, were served upon counsel for Respondent, Zachary Hinkle, 425 Fifth Avenue North, Nashville, Tennessee, 37203, via email and United States Mail, this 17th day of January, 2020.

/s/ Kelley J. Henry
Kelley J. Henry