

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

LEE SAMUEL CAPERS, *Petitioner*,

v.

STATE OF CALIFORNIA, *Respondent*.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner, Lee Samuel Capers, asks leave to file the accompanying petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. Petitioner has been granted leave to so proceed on his appeal of his judgment of death before the California Supreme Court.

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A copy of the March 25, 2005, order of the California Supreme Court appointing the State Public Defender to petitioner's automatic appeal is attached hereto.

Dated: January 17, 2020

Respectfully Submitted,

MARY K. McCOMB
California State Public Defender

/s/ Peter R. Silten



PETER R. SILTEN
Supervising Deputy State Public Defender
Counsel of Record

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Counsel for Petitioner

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Supreme Court of California

FREDERICK K. OHLRICH
COURT ADMINISTRATOR AND
CLERK OF THE SUPREME COURT

June 17, 2010

Mr. Michael J. Hersek
State Public Defender
221 Main Street, 10th Floor
San Francisco, CA 94105

Re: S146939 — People v. Lee Samuel Capers

Dear Counsel:

Enclosed please find a certified copy of the order appointing the State Public Defender as counsel for Lee Samuel Capers, San Quentin State Prison, P.O. Box K-01264, San Quentin, CA 94974, on his automatic appeal now pending in this court, together with a copy of our letter informing him of the appointment. Also enclosed is a copy of our letter to the superior court requesting that appellant's copy of the record, as well as all notices, be forwarded to you.

Counsel are expected to submit case status reports every 60 days, until the appellant's opening brief is filed.

The court appreciates your willingness to assist in this matter.

Very truly yours,

FREDERICK K. OHLRICH
Court Administrator and
Clerk of the Supreme Court

A handwritten signature in black ink, appearing to read "Mary Jameson", written over a circular stamp.

By: Mary Jameson
Automatic Appeals Unit Supervisor

MJ/ah

Enclosures

cc: California Appellate Project
Habeas Corpus Resource Center
Vincent Cullen, Warden, San Quentin
Robin Derman, Deputy Attorney General
Ronald Matthias, Senior Assistant Attorney General
The Honorable John M. Tomberlin
Rec.

SUPREME COURT
FILED

JUN 17 2010

Frederick K. Onizich Clerk

Deputy

No. S146939

IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE, Respondent,

v.

LEE SAMUEL CAPERS, Appellant.

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant Lee Samuel Capers for the direct appeal in the above automatic appeal now pending in this court.

GEORGE

Chief Justice