

CAPITAL CASE  
EXECUTION SET FOR FEBRUARY 20, 2020, at 7:00 P.M., CST

No. 20- \_\_\_\_\_

\_\_\_\_\_  
IN THE SUPREME COURT OF THE UNITED STATES  
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In re: NICHOLAS T. SUTTON, *Petitioner*

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MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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STEPHEN M. KISSINGER  
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*Counsel of Record for Petitioner*

Petitioner Nicholas T. Sutton requests leave to file the attached original petition for writ of habeas corpus without prepayment of costs and to proceed *in forma pauperis* pursuant to Supreme Court Rule 39.

Petitioner Sutton has previously been granted leave to proceed *in forma pauperis* in the United States District Court in *Sutton v. Parker*, No. 3-19-cv-0005, and continued to proceed *in forma pauperis* on appeal. Further, Petitioner was found to be indigent and permitted to proceed *in forma pauperis* by the Tennessee state courts. Petitioner Sutton's counsel was appointed by the United States District Court for the Eastern District of Tennessee pursuant to 21 U.S.C. § 848(q)(4)(B) (2006), presently codified at 18 U.S.C. § 3599.

Dated: February 18, 2020

Respectfully submitted,



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