

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

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**In The  
Supreme Court of the United States**

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Desmond Baker,

*Petitioner,*

v.

State of Florida,

*Respondent.*

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**MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

The Petitioner asks leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. Petitioner was originally sentenced as a juvenile to life without parole in 1999, has remained continuously imprisoned and has previously been found insolvent. Appointed counsel represented Petitioner in the trial court, in the Second District Court of Appeal and in the Supreme Court of Florida.

A copy of the trial court's order appointing counsel is appended hereto. Counsel was appointed under section 27.40, Florida Statutes.

Respectfully submitted,

Howard L. "Rex" Dimmig, II  
Public Defender

/S/Carol J. Young Wilson  
Carol J. Young Wilson  
Assistant Public Defender  
*Counsel of Record*

Public Defender's Office  
Tenth Judicial Circuit of Florida  
Polk County Courthouse  
P.O. Box 9000 - Drawer PD  
Bartow, FL 33831  
(863) 534-4200  
cwilson@pd10.org  
*Counsel for Petitioner*

**CIRCUIT/COUNTY COURT, PINELLAS COUNTY, FLORIDA  
CRIMINAL DIVISION**

STATE OF FLORIDA

vs.

CASE NO. 99-03168 CFANO

BAKER, Desmond 706569

**FILED**

**AFFIDAVIT OF INSOLVENCY**

**FEB 13 1999**

Affiant being first duly sworn on oath deposes and says that he/she is ~~totally insolvent and utterly unable to pay the charges, costs or fees in this cause either in whole or in part; that he/she has no property or other means of payment either in his/her possession or under his/her control and that he/she has not divested himself/herself of any property, either real or personal, for the purpose of receiving benefit from his/her oath; that he/she, at this time, is wholly without funds and unless this Court makes and enters an order adjudging him/her insolvent, he/she will be deprived of his/her rights under the law in such cases made and provided. This affiant offers himself/herself up to the Court for the purpose of further examination into his/her insolvency.~~ **KARLENE J. BLAKER  
CLERK CIRCUIT COURT  
Deputy Clerk**

Affiant further says that he/she has been informed that a Lien, for the value of the services rendered him/her by the Public Defender and/or costs of defense may be impressed by law on any property he/she now has, or may hereafter have, in the State of Florida, and he/she hereby waives notice of any proceedings at which the value of the services of the Public Defender and/or costs, as aforesaid, may be determined, and further waives any notice of the filing of the aforesaid lien.

Under penalties of perjury, I hereby affirm and attest that I am the above-named defendant and that the facts alleged are true.

X Desmond A. Baker  
DEFENDANT

**FILED**  
CRIMINAL JUSTICE CENTER  
99 FEB 18 9:31  
Karlene J. Blaker  
Clerk Circuit Court

**ORDER OF INSOLVENCY AND APPOINTMENT OF PUBLIC DEFENDER**

The above-named Defendant, being before the Court and the said Defendant having filed in this Court his/her Affidavit of Insolvency; and testimony having been taken before the Court; and the Court being otherwise fully advised in the premises, it is thereupon

**ORDERED AND ADJUDGED** that the Defendant be, and he/she is hereby, declared to be insolvent within the meaning of Sec. 27.52 FLORIDA STATUTES; and it is further

**ORDERED AND ADJUDGED** that the Public Defender for the Sixth Judicial Circuit, is hereby appointed to represent said Defendant in the above-styled cause.

**IT IS FURTHER ORDERED** that in the event the Defendant, or his/her parents, is ordered to pay for the costs of the services of the Public Defender, then the Public Defender shall, within 30 days of the final disposition of this cause, submit a Motion to this Court to Establish the value of the services of the Public Defender. If this Court has also ordered the Defendant to pay for the costs of defense, then the Public Defender shall, within 30 days of the final disposition of this cause, submit an itemized statement of costs of defense. These statements shall be obtained from the Clerk's Office of the Board of County Commissioners.

**DONE AND ORDERED** this 15 day of FEB, 19 99 at Clearwater, Florida.

[Signature]  
Judge