

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

TRAVIS SOTO, PETITIONER

v.

THE STATE OF OHIO, RESPONDENT

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

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Louis E. Grube, Esq.

Counsel of Record

Paul W. Flowers, Esq.

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Carly M. Edelstein, Esq.

Assistant State Public Defender

OFFICE OF THE OHIO PUBLIC DEFENDER

Attorneys for Petitioner,

Travis Soto

MOTION

Petitioner Travis Soto (“Soto”) requests leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. This relief is warranted because during all phases of the proceedings below Soto sought similar relief and counsel was appointed to him. The Supreme Court of Ohio concluded that Soto was indigent and appointed counsel to represent him on June 14, 2018, in *State v. Soto*, No. 2018-0416. *Entry attached at Apx. 0001*. Counsel was appointed by the Putnam County Court of Common Pleas on May 12, 2017, to represent Soto in his interlocutory appeal before the Court of Appeals of Ohio for the Third Appellate District in *State v. Soto*, No. 12-17-05. *Entry attached at Apx. 0002*. Counsel for trial was appointed to represent Soto by the Putnam County Municipal Court on July 27, 2016, before the matter was bound over to the Putnam County Court of Common Pleas for the proceedings in *State v. Soto*, No. 2016 CR 00057. *Entry attached at Apx. 0003*.

As further grounds for relief, Soto has been incarcerated in the Putnam County Jail without the opportunity to maintain employment during the years-long pendency of these proceedings. He therefore remains indigent and unable to hire counsel. Accordingly, new attorneys were assigned to him by the Putnam County Court of Common Pleas on November 26, 2019, after the matter was remanded from the Supreme Court of Ohio. *Entry attached at Apx. 0004*.

CONCLUSION

For the foregoing reasons, Soto should be granted leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Respectfully Submitted,

Louis E. Grube, Esq.
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Attorneys for Petitioner,
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Carly M. Edelstein, Esq.
Assistant State Public Defender
OFFICE OF THE OHIO PUBLIC DEFENDER

FILED
The Supreme Court of Ohio JUN 14 2018

CLERK OF COURT
SUPREME COURT OF OHIO

State of Ohio

v.

Travis Soto



Case No. 2018-0416

E N T R Y

This cause is pending before the court as an appeal from the Court of Appeals for Putnam County.

Upon consideration of the motion of Joseph A. Benavidez to withdraw as counsel for appellee and motion for appointment of the Office of the Ohio Public Defender as counsel for appellee, it is ordered by the court that the motions are granted and The Ohio Public Defender's Office is appointed to represent appellee.

(Putnam County Court of Appeals; No. 12-17-05)

A handwritten signature of Maureen O'Connor is written over a horizontal line.

Maureen O'Connor
Chief Justice

J 268 P821

IN THE COURT OF COMMON PLEAS OF PUTNAM COUNTY, OHIO

STATE OF OHIO

CASE NO. 2016-CR-57

Plaintiff

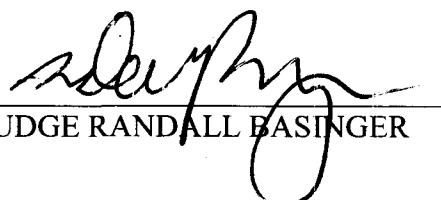
VS.

JUDGMENT ENTRY

TRAVIS SOTO

Defendant

IT IS HEREBY ORDERED that Michael Short be Court appointed as counsel for the purpose of an appeal in this matter.



JUDGE RANDALL BASINGER

cc:

Michael Short – faxed to 419-516-0125
Prosecuting Attorney – faxed
Joseph Benavidez – faxed to 419-228-3367

COMMON PLEAS COURT
TERESA J. LAMMERS, CLERK
PUTNAM COUNTY, OHIO

2017 MAY 12 AM 11:40

APX. 0002

PUTNAM COUNTY MUNICIPAL COURT
245 E MAIN ST SUITE 303 - OTTAWA, OH 45875
(419) 523-3110

STATE OF OHIO

PLAINTIFF

CASE NO: 2016 CRA 00170

VS

TRAVIS SOTO

DEFENDANT

ORDER ASSIGNING COUNSEL

Pursuant to Criminal Rule 44, it having been determined in open Court this **July 27, 2016**, that the Defendant is unable to obtain an attorney and that he is entitled to representation by a Court appointed attorney.

IT IS ORDERED that **Joseph Benavidez** is appointed to represent Defendant in this matter.



JUDGE

**ALL APPLICATIONS FOR PAYMENT OF ATTORNEY FEES ON COURT
APPOINTED CASES MUST BE FILED WITH THE COURT WITHIN 30 DAYS OF
CASE TERMINATION.**

07/27/2016 2:03 PM

PUTNAM COUNTY
MUNICIPAL COURT

J282 P44

IN THE COURT OF COMMON PLEAS OF PUTNAM COUNTY, OHIO

STATE OF OHIO : CASE NO. 2016-CR-00057

Plaintiff : JUDGE KEITH H. SCHIERLOH

VS. : JUDGMENT ENTRY

TRAVIS D. SOTO :

Defendant :

IT IS HEREBY ORDERED that William F. Kluge be Court appointed as lead counsel and Robert A. Grzybowski be Court appointed as co-counsel to represent the Defendant in this matter.

IT IS SO ORDERED.



JUDGE KEITH H. SCHIERLOH

cc: Prosecutor - faxed
William F. Kluge - faxed
Robert A. Grzybowski - faxed

COMMON PLEAS COURT
KIMBERLY A. REINHOLD, CLERK
PUTNAM COUNTY, OHIO

2019 NOV 26 P 1:43

APX. 0004