

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

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IN THE  
SUPREME COURT OF THE UNITED STATES

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TRAVIS SOTO, PETITIONER

v.

THE STATE OF OHIO, RESPONDENT

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

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

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Louis E. Grube, Esq.  
*Counsel of Record*  
Paul W. Flowers, Esq.  
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*Attorneys for Petitioner,  
Travis Soto*

Carly M. Edelstein, Esq.  
Assistant State Public Defender  
**OFFICE OF THE OHIO PUBLIC DEFENDER**

## 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.  
*Counsel of Record*  
Paul W. Flowers, Esq.  
**PAUL W. FLOWERS CO., L.P.A.**  
50 Public Square, Suite 1910  
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*Attorneys for Petitioner,*  
*Travis Soto*

Carly M. Edelstein, Esq.  
Assistant State Public Defender  
**OFFICE OF THE OHIO PUBLIC DEFENDER**

# The Supreme Court of Ohio

FILED

JUN 14 2018

CLERK OF COURT  
SUPREME COURT OF OHIO

State of Ohio

v.

Travis Soto

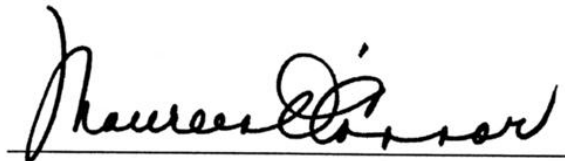
Case No. 2018-0416

ENTRY

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)



Maureen O'Connor  
Chief Justice

The Official Case Announcement can be found at <http://www.supremecourt.ohio.gov/ROD/docs/>

APX. 0001

J268 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

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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. LAMERS, CLERK  
PUTNAM COUNTY, OHIO  
2017 MAY 12 A 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

ORDER ASSIGNING COUNSEL

DEFENDANT

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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.

2016 JUL 27 PM 2:03

PUTNAM COUNTY  
MUNICIPAL COURT

OAC.DOC

APX. 0003

J282 P44

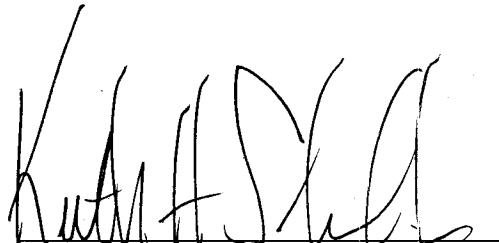
IN THE COURT OF COMMON PLEAS OF PUTNAM COUNTY, OHIO

STATE OF OHIO	:	CASE NO. 2016-CR-00057
Plaintiff	:	JUDGE KEITH H. SCHIERLOH
VS.	:	JUDGMENT ENTRY
TRAVIS D. SOTO	:	
Defendant	:	

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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. REDMAN, CLERK  
PUTNAM COUNTY, OHIO  
2019 NOV 26 P 1:43

APX. 0004