

CAPITAL CASE

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

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IN THE  
SUPREME COURT OF THE UNITED STATES

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JAMES DELLINGER,

Petitioner

vs.

STATE OF TENNESSEE

Respondent

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MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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Petitioner James Dellinger respectfully moves this Court for leave to proceed *in forma pauperis*. He is indigent, has been appointed counsel in federal habeas proceedings pursuant to 18 U.S.C. § 3599, formerly 21 U.S.C. § 848, and has been found indigent and unable to pay costs in this cause by the Tennessee courts. *See Dellinger v. State of Tennessee*, E2018-00135-CCA-R3-ECN (Tenn.Crim.App. April 17, 2019), Judgment, Apx. 11a.

Respectfully, this motion should be granted.

Respectfully Submitted,

/s/ Amy D. Harwell

Amy D. Harwell

Assistant Chief, Capital Habeas Unit

Richard L. Tennent

Asst. Federal Public Defender

Office of the Federal Public Defender

Middle District of Tennessee

810 Broadway, Suite 200

Nashville, Tennessee 37203

(615) 736-5047

### **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing motion to proceed in forma pauperis was served via first-class mail upon counsel for Respondent, Benjamin Ball, 425 Fifth Avenue North, Nashville, Tennessee 37243 this the 12th day of March, 2020.

/s/ Amy D. Harwell

Amy D. Harwell

Counsel for James Dellinger