

No. 19A824

IN THE SUPREME COURT OF THE UNITED STATES

FRED FURNISH
Petitioner,

v.

DEEDRA HART, WARDEN,
Respondent.

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

THIS IS A CAPITAL CASE

The petitioner, Fred Furnish, asks leave to file the attached Petition for a Writ of Certiorari to the Supreme Court of Kentucky without prepayment of costs and to proceed *in forma pauperis* pursuant to Rule 39. Furnish previously sought appointment of counsel in the Supreme Court of Kentucky and his request was granted, resulting in the appointment of the undersigned. *See* Appellate R., ECF #65,

66¹. Pursuant to Supreme Court Rule 39(1), a copy of the order of the Supreme Court of Kentucky appointing counsel is appended to this Motion.

Accordingly, Petitioner Fred Furnish requests that he be granted leave to proceed before this court *in forma pauperis*.

RESPECTFULLY SUBMITTED,

/s/ Dennis J. Burke

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ATTORNEYS FOR FRED FURNISH

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¹ Furnish was represented by appointed counsel based upon his financial status throughout the state court litigation of his case.