

**IN THE SUPREME COURT OF THE UNITED STATES**

**October Term, 2019**

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

**BILLY JOE WARDLOW,  
Petitioner,**

**v.**

**STATE OF TEXAS.  
Respondent.**

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**On Petition for Writ of Certiorari to the  
Texas Court of Criminal Appeals**

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**Motion for Leave to Proceed *in Forma Pauperis***

Petitioner, Billy Joe Wardlow, respectfully requests that the Court permit him to proceed *in forma pauperis* on his Petition for Writ of Certiorari to the Texas Court of Criminal Appeals. Counsel was appointed to represent Mr. Wardlow in his initial state habeas corpus proceeding under Tex. Code Crim. Proc. Article 11.071 § 2, and in his federal habeas corpus proceeding under 18 U.S.C. § 3599 (formerly 21 U.S.C. § 848) in the United States District Court for the Eastern District of Texas and the United States Court of Appeals for the Fifth Circuit. Counsel continued to represent Mr. Wardlow *pro bono* in the subsequent habeas corpus proceeding in the court below because there is no right to counsel in such proceedings unless and until the Texas

Court of Criminal Appeals authorizes the trial court to consider the subsequent application.

Respectfully submitted,

RICHARD BURR\*  
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A handwritten signature in black ink, appearing to read "Richard Burr", with a long horizontal flourish extending to the right.

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Counsel for Billy Joe Wardlow

\*Counsel of Record, Member of the Bar of the Supreme Court of the United States