

No. _____

In the
Supreme Court of the United States

CARLOS MICHAEL LOPEZ

Petitioner,

v.

THE STATE OF TEXAS

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioner asks leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* by the 262nd District Court of Harris County, Texas. Petitioner's affidavit or declaration is **not** attached because the trial court appointed counsel in the current proceeding and a copy of the order appointing is appended.

Respectfully submitted,

/s/ Nicholas Vitolo

Nicholas C. Vitolo

Counsel of Record

HARRIS COUNTY PUBLIC DEFENDER
1201 Franklin St., 13th Floor
Houston, Texas 77002
(713) 274-6966
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1564443 PAUPER'S OATH ON APPEAL
CAUSE NO.: 1564443 Agg Asslt - PB Servant
THE STATE OF TEXAS Agg Asslt w/ deadly
vs. 262 DISTRICT COURT
HARRIS COUNTY, TEXAS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Carlos M. Lopez, defendant in the above styled and numbered cause, and states under oath that he is without funds, property or income. The defendant respectfully petitions the court to: (check all that apply)

Appoint appellate counsel to represent him.
 Asks the court to order that a free record be provided to him.

FILED

Marilyn Burgess
District Clerk

MAY - 7 2019

Time: _____
By _____ Harris County, Texas

Deputy

Carlos Lopez
DEFENDANT

SUBSCRIBED AND SWORN to before me, this 7 day of May A.D., 2019.

DEPUTY DISTRICT CLERK
262 DISTRICT COURT
HARRIS COUNTY, TEXAS

ORDER

On 5-7-19 the court conducted a hearing and found that the defendant is indigent.

The court orders that Scott C. Pope / HCPD is appointed to represent defendant/appellant on appeal.
 The court reporter is ordered to prepare and file the reporter's record without charge to the defendant/appellant.

It is further ordered that the clerk of this court mail a copy of the order to the court reporter:

Mattie Kinable, by certified mail return receipt requested.

JUDGE PRESIDING
262 DISTRICT COURT
HARRIS COUNTY, TEXAS

AFFIRMATION

I, Scott C. Pope / HCPD, Attorney at Law, swear or affirm that I will be solely responsible for writing a brief and representing the appellant on appeal. If I am not able to perform my duties as appellate counsel, I will notify the court immediately so that the court may take the appropriate action as deemed necessary.

Scott C. Pope / HCPD
ATTORNEY (SIGNATURE)

24032054 / 01902620
BAR/SPN NUMBER

HCPD 1201 Franklin 13th Floor
ADDRESS

CITY STATE ZIP

713-274-6000
PHONE

77002
ZIP

PHONE

FAX NUMBER

Scott C. Pope / HCPD
EMAIL ADDRESS

SWORN TO AND SUBSCRIBED BEFORE ME ON 7 May 19

Alyssia M. Morris
DEPUTY DISTRICT CLERK (SIGNATURE)

DISTRICT CLERK

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging