

No. _____

IN THE SUPREME COURT OF THE UNITED STATES
October Term, 2020

RICHARD L. SEALEY,
Petitioner

-v-

BENJAMIN FORD, Warden,
Georgia Diagnostic Prison,
Respondent.

On Petition for a Writ of Certiorari
to the United States Court of Appeals
for the Eleventh Circuit

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

COMES NOW Petitioner Richard L. Sealey, by and through his undersigned counsel, and, pursuant to Rule 39, Rules of the Supreme Court of the United States, moves this Court for an order granting him leave to proceed *in forma pauperis*, and without prepayment of fees. In support thereof, Petitioner shows this Court the following:

1. Petitioner currently is confined under a sentence of death at the Georgia Diagnostic and Classification Prison in Jackson, Georgia. He was permitted to proceed as indigent without payment of costs and fees in the United States District Court for the Northern District of Georgia and the United States Court of Appeals for the Eleventh Circuit throughout the proceedings below.

2. Petitioner remains indigent and files herewith a petition for writ of *certiorari* from this Court to the Eleventh Circuit Court of Appeals, which denied Petitioner's appeal of the district court's dismissal of his Petition for Writ of Habeas Corpus by a Prisoner in State Custody on March 31, 2020, and denied his timely filed Petition for Rehearing and Rehearing *En Banc* on April 21, 2020.

3. The order of the United States District Court finding Petitioner to be indigent and appointing undersigned counsel is attached hereto, pursuant to Supreme Court Rule 39.1.

WHEREFORE, Petitioner respectfully requests that this Court grant his motion and allow Petitioner to proceed *in forma pauperis* and without prepayment of costs.

Respectfully submitted, this the 6th day of November, 2020.

/s/ S. Jill Benton

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COUNSEL FOR MR. SEALEY

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

RICHARD L. SEALEY,	:	
Plaintiff,	:	CIVIL ACTION NO.
	:	1:14-CV-0285-AT
v.	:	
	:	DEATH PENALTY
BRUCE CHATMAN,	:	HABEAS CORPUS
Defendant.	:	


ORDER

A review of Petitioner's motion for leave to proceed in forma pauperis, [Doc. 2], indicates that he is indigent and cannot pay the filing fee. Accordingly, the motion is **GRANTED**.

For good cause shown and in the absence of opposition, Petitioner's motion for appointment of counsel, [Doc. 3], is likewise **GRANTED**, and Baker & Hostetler LLP and the Federal Defender Program, Inc., are **APPOINTED** to represent Petitioner in proceedings before this Court.

Given the fact that co-counsel for Petitioner is currently on leave, Petitioner shall have until June 20, 2014, to respond to Respondent's motion for a scheduling order. The parties are **DIRECTED** to meet and confer regarding the terms of a mutually agreed upon scheduling order no later than May 16, 2014. If the parties reach an agreement regarding a scheduling order, they shall submit the proposed order to the Court. The Court will schedule an ex parte meeting with counsel for Petitioner to discuss budgeting issues thereafter and if necessary, will also schedule a conference with all counsel to discuss scheduling issues addressed in the parties' briefs.

IT IS SO ORDERED, this 15th day of April, 2014.



AMY TOTENBERG
UNITED STATES DISTRICT JUDGE