

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JAMES R.W. MITCHELL—PETITIONER

VS.

MARCUS POLLARD, Warden of Richard J. Donovan Correctional Facility,
an individual —RESPONDENT

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Steven S. Lubliner (California State Bar No. 164143)
LAW OFFICES OF STEVEN S. LUBLINER
P.O. Box 750639
Petaluma, CA 94975
Phone: (707) 789-0516
e-mail: sslubliner@comcast.net
Attorney for Petitioner James R.W. Mitchell

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. Petitioner is indigent. The undersigned was appointed under the Criminal Justice Act to represent petitioner in his federal habeas appeal. (1 Appendix [“App.”] 225.) This was stayed so petitioner could pursue state habeas relief under *McCoy v. Louisiana*, 138 S.Ct. 1500 (2018), which underlies this petition. The undersigned represented petitioner in all phases of his state habeas litigation. All of his filings contained a request for appointment of counsel.

Dated: April 12, 2021

/s/Steven S. Lubliner
Steven S. Lubliner
Attorney for Petitioner
James R.W. Mitchell