

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

IN THE SUPREME COURT OF THE UNITED STATES

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CHARLES WESLEY KINCHELOE,  
*Petitioner,*

v.

STATE OF OREGON,  
*Respondent*

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On Petition for a Writ of Certiorari to the Supreme Court of the State of Oregon

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

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Petitioner respectfully moves this court for leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in forma pauperis.

Petitioner was granted leave to proceed in forma pauperis by the Oregon Court of Appeals. The court appointed the Office of Public Defense Services to represent petitioner pursuant to Or. Rev. Stat. § 138.500; a copy of the appointment order is attached.

Respectfully submitted,

ERNEST G. LANNET  
*Chief Defender*

/s/ Joshua B. Crowther

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JOSHUA B. CROWTHER  
*Chief Deputy Public Defender  
Counsel of Record*  
Office of Public Defense Services  
1175 Court Street NE  
Salem, OR 97301  
Telephone (503) 378-3349  
Joshua.Crowther@opds.state.or.us

IN THE COURT OF APPEALS OF THE STATE OF OREGON

STATE OF OREGON,

Plaintiff-Respondent,

v.

CHARLES WESLEY KINCHELOE,

Defendant-Appellant.

Jackson County Circuit Court  
Case No. 17CR48475



JAMES C. EGAN  
CHIEF JUDGE, COURT OF APPEALS  
5/10/2018 2:47 PM  
DEEMED  
ALLOWED

**APPELLANT'S MOTION – APPOINT COUNSEL**

Pursuant to ORS 138.500(2), defendant respectfully moves this court for an order appointing the Office of Public Defense Services as counsel on appeal. The defendant was previously determined to be financially eligible for court-appointed counsel in this case. ORS 138.500(1).

Opposing counsel has no objection to this motion.

I certify that I served this Motion on May 10, 2018, by having a true copy delivered to Benjamin Gutman #160599, Solicitor General, 1162 Court Street NE, Salem, OR 97301, attorney for respondent.

DATED May 10, 2018.

Respectfully submitted,

ERNEST G. LANNET  
CHIEF DEFENDER  
CRIMINAL APPELLATE SECTION  
OFFICE OF PUBLIC DEFENSE SERVICES

*Signed*

By Shawn Wiley at 11:25 am, May 10, 2018

SHAWN WILEY OSB #955156  
SENIOR DEPUTY PUBLIC DEFENDER  
Shawn.Wiley@opds.state.or.us

Attorneys for Defendant-Appellant  
Charles Wesley Kincheloe