

No. _____

In The
Supreme Court of the United States

MICHAEL D. RIMMER,

Petitioner,

v.

STATE OF TENNESSEE,

Respondent.

**ON PETITION FOR A WRIT OF CERTIORARI
TO THE SUPREME COURT OF TENNESSEE**

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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Petitioner Michael Dale Rimmer respectfully moves for leave, under Rules of the Supreme Court of the United States rule 39, to proceed *in forma pauperis* in this Court and, therefore, file the enclosed Petition for Writ of Certiorari without payment of fees.

Petitioner is an inmate in the custody of the Tennessee Department of Correction and under sentence of death. At trial, and subsequent retrial proceedings, the Shelby County Criminal Court declared petitioner to be indigent. Pursuant to Tennessee Code Annotated § 40–14–202 and Tennessee Supreme Court Rule 13 § 3 (b), the trial court appointed attorneys to represent petitioner at his trial. Petitioner proceeded *in forma pauperis* throughout his trial and direct appeal in the Tennessee state courts. *See State v. Rimmer*, 623 S.W.3d 235, 271 (Tenn. 2021) (“It appearing that the Defendant, Michael Rimmer, is indigent, the costs of this appeal are taxed to the State of Tennessee.”); *see also State v. Rimmer*, 250 S.W.3d 12, 36 (Tenn. 2008).

Wherefore, petitioner prays that this Court grant leave to proceed *in forma pauperis* in his Petition for Writ of Certiorari.

Respectfully submitted,

/s/ Debbie Drew
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