

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

---

**In the Supreme Court of the United States**

---

CHARLES GREGORY CLARK,  
*Petitioner,*

v.

COMMISSIONER,  
ALABAMA DEPARTMENT OF CORRECTIONS,  
*Respondent.*

---

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

---

**APPLICATION TO PROCEED *IN FORMA PAUPERIS***

---

CHRISTINE A. FREEMAN  
EXECUTIVE DIRECTOR  
MATT D. SCHULZ  
*Counsel of Record*  
SPENCER J. HAHN  
FEDERAL DEFENDERS FOR THE  
MIDDLE DISTRICT OF ALABAMA  
817 S. COURT STREET  
MONTGOMERY, ALABAMA 36104  
(334) 834-2099  
*Matt\_Schulz@fd.org*


Petitioner, Charles Gregory Clark, an indigent Alabama prisoner respectfully requests that this Court grant him leave to proceed *in forma pauperis*, without prepayment of costs or fees.

In support, Mr. Clark states:

1. Mr. Clark is in custody at Holman Correctional Facility;
2. Mr. Clark was granted leave to proceed *in forma pauperis* in the courts below and was appointed counsel under 28 U.S.C. § 1915(a) and Rule 3(a)(2) of the Rules Governing Section 2254 Cases. A copy of the district court's order granting this leave is attached to this motion.

For the reasons set forth above, Mr. Clark respectfully requests that this Court grant him *in forma pauperis* status.

Respectfully submitted,

  
MATT D. SCHULZ  
*Counsel of Record*  
SPENCER J. HAHN  
FEDERAL DEFENDERS FOR THE  
MIDDLE DISTRICT OF ALABAMA  
817 S. COURT STREET  
MONTGOMERY, ALABAMA 36104  
(334) 834-2099  
*Matt\_Schulz@fd.org*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>CHARLES GREGORY CLARK,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION 16-0454-WS-C</b>
	)	
<b>JEFFERSON S. DUNN, etc.,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER**

For the reasons set forth therein, and in accordance with 28 U.S.C. § 1915(a) and Rule 3(a)(2) of the Rules Governing Section 2254 Cases, the petitioner’s motion to proceed *in forma pauperis*, (Doc. 2), is **granted**. The petitioner is authorized to proceed in this matter without prepayment of fees and costs.

The petition was filed by Matt Schulz and Spencer Hahn, members of the Capital Habeas Unit of the Federal Defender’s Office, who seek to be appointed as counsel. (Doc. 3). The petitioner is entitled to appointed counsel. 28 U.S.C. § 2254(h). The motion reflects that Messrs. Schulz and Hahn are well qualified for such an appointment, and the petitioner has confirmed his desire that they represent him in this matter. (Doc. 3 at 5-6). Accordingly, the motion is **granted**. Matt David Schulz and Spencer J. Hahn are **appointed** to represent the petitioner in these proceedings.

DONE and ORDERED this 6<sup>th</sup> day of September, 2016.

s/WILLIAM H. STEELE  
CHIEF UNITED STATES DISTRICT JUDGE