

No. 21-6288

ORIGINAL

Supreme Court, U.S.
FILED

NOV 09 2021

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

[Signature]
(Your Name) PETITIONER

VS.

State of N.Y. — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Appellate Division Fourth Department
50 East Ave, Suite 200, Rochester, NY 14604

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☒ The appointment was made under the following provision of law: 22
NYCRR 1000.3(c)(1) and NYCRR 1000.4 (A), or

☐ a copy of the order of appointment is appended.

[Signature]
(Signature)

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

KA 16-02366

THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT,

V

TINA L. WAGONER, DEFENDANT-APPELLANT.

Inmate # 16-G-0694 BEDFORD HILLS CORRECTIONAL FACILITY

Indictment No: 15-048

An application having been made for an order granting leave to prosecute an appeal from a judgment of the Cattaraugus County Court, rendered August 3, 2016, as a poor person, and for other relief,

It is hereby ORDERED that said application is granted to the extent that the appeal herein may be prosecuted upon one record as defined by 22 NYCRR 1000.3 (c) (1) and ten copies of the appellant's brief, reproduced in accordance with 22 NYCRR 1000.4 (f), and

TIMOTHY P. MURPHY, ESQ.
LEGAL AID BUREAU OF BUFFALO
290 MAIN ST STE 350
BUFFALO NY 14202

is hereby assigned as counsel to conduct the appeal; and

It is further ORDERED that said record and briefs are to be filed and served within 120 days of the filing of the transcripts with the Cattaraugus County Clerk's Office; and

It is further ORDERED that the Clerk of Cattaraugus County is hereby directed to provide TIMOTHY P. MURPHY, ESQ. with copies of all papers and transcripts of stenographic or audiotaped minutes, if any, of the proceedings upon which the appeal is based.