

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

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

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SUZANNE ELIZABETH WEXLER

*Petitioner,*

v.

THE STATE OF TEXAS

*Respondent.*

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ON PETITION FOR WRIT OF CERTIORARI TO THE  
TEXAS COURT OF CRIMINAL APPEALS

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

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Petitioner, Suzanne Elizabeth Wexler, asks leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis* pursuant to SUPREME COURT RULE 39.

Petitioner has previously been granted leave to proceed *in forma pauperis* by the 177th District Court of Harris County, Texas, and the Harris County Public Defender's Office was appointed to represent Ms. Wexler on appeal. *See* attached copy of the order of appointment of counsel in the court below.

The Harris County Public Defender's Office continues to represent Ms. Wexler in the accompanying petition for a writ of certiorari. Ms. Wexler has completed an affidavit of indigency. *See* attached copy of the order of appointment of counsel in the court below.

For these reasons, Petitioner respectfully requests that this Court grant her leave to proceed *in forma pauperis* in this Court.

Respectfully submitted,

**/s/ Nicholas Mensch**

Nicholas Mensch

*Counsel of Record*

ASSISTANT PUBLIC DEFENDER

HARRIS COUNTY, TEXAS

1201 Franklin St., 13<sup>th</sup> Floor

Houston, Texas 77002

(713) 274-6728

nicholas.mensch@pdo.hctx.net

Date Submitted: November 15, 2021

PAUPER'S OATH ON APPEAL

CAUSE NO.: 1513928

THE STATE OF TEXAS

VS.

Suzanne Wexler

TO THE HONORABLE JUDGE OF SAID COURT:

OFFENSE: PCS / WFD

177th DISTRICT COURT

OF

HARRIS COUNTY, TEXAS

**FILED**

Chris Daniel  
District Clerk

JUL 19 2017

Time: \_\_\_\_\_  
By \_\_\_\_\_  
Harris County, Texas  
Deputy

NOW COMES Suzanne Wexler, defendant in the above styled and numbered cause, and states under oath that he is without funds, property or income. The defendant respectfully petitions the court to: (check all that apply)

- ☒ Appoint appellate counsel to represent him.  
☒ Asks the court to order that a free record be provided to him.

[Signature]  
DEFENDANT

SUBSCRIBED AND SWORN to before me, this 19 day of July A.D., 20 17.

[Signature]  
DEPUTY DISTRICT CLERK  
DISTRICT COURT  
HARRIS COUNTY, TEXAS

**ORDER**

1513928

On 7/19/17 the court conducted a hearing and found that the defendant is indigent.

- ☒ The court orders that Scott C. Pope / HCPD is appointed to represent defendant/appellant on appeal.  
☒ The court reporter is ordered to prepare and file the reporter's record without charge to the defendant/appellant.

It is further ordered that the clerk of this court mail a copy of the order to the court reporter: \_\_\_\_\_, by certified mail return receipt requested.

[Signature]  
JUDGE PRESIDING  
177th DISTRICT COURT  
HARRIS COUNTY, TEXAS  
7/19/2017

CAH

**AFFIRMATION**

I, Scott C. Pope / HCPD, Attorney at Law, swear or affirm that I will be solely responsible for writing a brief and representing the appellant on appeal. If I am not able to preform my duties as appellate counsel, I will notify the court immediately so that the court may take the appropriate action as deemed necessary.

[Signature]  
ATTORNEY (SIGNATURE)

BAR/SPN NUMBER

ADDRESS SCOTT C. POPE  
Assistant Public Defender  
1201 Franklin, 13th Floor  
Houston, TX 77002  
PHONE SBOT 24032959 / SPN 01902620  
713-368-0016  
scott.pope@pdo.hctx.net

CITY STATE ZIP

FAX NUMBER

EMAIL ADDRESS

SWORN TO AND SUBSCRIBED BEFORE ME ON

JUL 19 2017

[Signature]  
DEPUTY DISTRICT CLERK (SIGNATURE)

DISTRICT CLERK

76 22/9912