

**Capital Case**

**Case No.**

**October Term, 2021**

**IN THE  
SUPREME COURT OF THE UNITED STATES**

**DANNY HILL, PETITIONER**

**VS.**

**STATE OF OHIO, RESPONDENT**

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**PETITIONER'S MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

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Petitioner Danny Hill moves this Court for leave to proceed *in forma pauperis* under Rule 39 so that he may file a Petition for Writ of Certiorari. Mr. Hill is indigent and he is incarcerated on Ohio's death row. Counsel was appointed for him for federal habeas review under The Criminal Justice Act, 18 U.S.C. 3599.

Respectfully submitted,

/s/ Vicki Ruth Adams Werneke

VICKI WERNEKE (OH 0088560)

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Counsel for Petitioner Danny Hill

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

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

Danny Hill \_\_\_\_\_ — PETITIONER  
(Your Name)

VS.

Tim Shoop, Warden \_\_\_\_\_ — 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):

US Supreme Court, Ohio Supreme Court, Trumbull County Court, Sixth Circuit Court of Appeals, 11th District Court of Appeals and US District Court Northern Ohio

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: \_\_\_\_\_, or

a copy of the order of appointment is appended.

/s/ Vicki Ruth Adams Werneke  
(Signature)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Danny Hill,	)	CASE NO.: 4:96CV795
	)	
	)	
Petitioner,	)	JUDGE JOHN ADAMS
	)	
v.	)	<b><u>ORDER</u></b>
	)	
Carl Anderson, Warden,	)	
	)	(Resolves Doc. 77)
Respondent.	)	

This matter appeared before the Court for a telephone conference on November 20, 2009. Based upon that conference, the Court hereby orders as follows:

Attorneys Christopher McDowell, Kimberly Beck, and Mark Vander Laan are hereby removed as counsel for Petitioner Danny Hill. Petitioner Hill expressed a desire that the Federal Public Defender’s office be appointed as his counsel. Assistant Public Defender Vicki Werneke agreed to represent Petitioner. Accordingly, the Federal Public Defender’s office is hereby appointed as counsel for Petitioner.

Additionally, during the conference, Petitioner indicated that he no longer wished to dismiss these proceedings. Doc. 77. The motion, therefore, is DENIED.

The Court also discussed with counsel, including Attorney Werneke, the proper schedule for this matter to move forward. The parties agreed on the following schedule which the Court hereby adopts.

Petitioner shall file his amended petition no later than March 1, 2010. Respondent shall file a return of the writ no later than May 3, 2010. Petitioner shall file a

traverse to the writ no later than July 5, 2010. Any discovery motions or motions requesting an evidentiary hearing shall be filed by September 6, 2010.

IT IS SO ORDERED.

November 25, 2009

/s/ Judge John R. Adams  
JUDGE JOHN R. ADAMS  
UNITED STATES DISTRICT COURT