

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES
October Term, 2021

CHARLES DALTON SHOEMAKE

Petitioner,

vs.

STATE OF MISSISSIPPI,

Respondent

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner, Charles Dalton Shoemake, asks leave to file the attached Petition for Writ of Certiorari to the Supreme Court of Mississippi without prepayment of costs and to proceed *in forma pauperis*. Petitioner was granted leave to so proceed in the state courts, and was assisted by *pro bono* counsel and counsel from the Office of Indigent Appeals of the State Public Defender pursuant to the statute Miss. Code Ann. §§ 99-40-1. Pursuant to Supreme Court Rule 39, the documentation confirming this, including Order of indigency, are attached to this motion.

Respectfully submitted, this the 10th day of November, 2021.



Stacy Ferraro*
1036 Manship
Jackson, MS 39202
601-624-2690 (direct line)

Counsel for Petitioner

*Counsel of Record

2017-75-1368

IN THE CIRCUIT COURT OF DESOTO COUNTY, MISSISSIPPI

CHARLES DALTON SHOEMAKE

FILED

PETITIONER

VS.

OCT 12 2017

CAUSE NO. 17-cv-00045CWD

STATE OF MISSISSIPPI

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

RESPONDENT

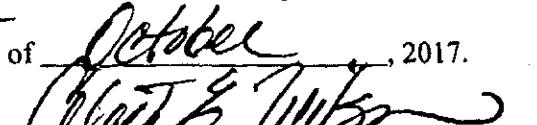
ORDER GRANTING LEAVE TO PROCEED
ON APPEAL IN FORMA PAUPERIS

This cause is before the court on the notice of appeal filed by the Petitioner, Charles Dalton Shoemake ("Shoemake"), by and through counsel, pursuant to this Court's dismissal of his post-conviction relief ("PCR") motion. Shoemake has been in custody since his sentence, and he was allowed to proceed as a pauper in this cause by court order dated March 20, 2017. Consistent with the statute [MISS. CODE ANN. §99-39-25(1)] and the Mississippi Rules of Appellate Procedure, Shoemake is entitled as a matter of law to proceed as a pauper in his appeal to the Supreme Court of Mississippi.

Accordingly, it is hereby

ORDERED that Shoemake's request to appeal in forma pauperis to the Supreme Court of Mississippi be and the same is **GRANTED**; that Shoemake may so proceed on appeal without prepayment of fees or costs; and that the Clerk shall mail a certified copy of this Order to Charles Dalton Shoemake, by and through his counsel of record, and the Supreme Court Clerk.

SO ORDERED this the 9 day of October, 2017.


CELESTE E. WILSON
CIRCUIT COURT JUDGE

FILED
DESO TO COUNTY, MISSISSIPPI

OCT 09 2017

DALE K. THOMPSON, CIRCUIT CLERK

IN THE CIRCUIT COURT OF DESOTO COUNTY, MISSISSIPPI

CHARLES DALTON SHOEMAKE

PETITIONER

vs.

NO. CT 2017-045cwb

STATE OF MISSISSIPPI

RESPONDENT

ORDER

This cause is before the Court on Petitioner Charles Dalton Shoemake's Motion To Proceed *In Forma Pauperis*, pursuant to Miss. Code Ann. § 11-53-17 and Miss. R. Civ. P. 3(c), on his Motion for Post-Conviction Relief. The Court has considered the Motion To Proceed *In Forma Pauperis* and finds that it should be granted.

It is hereby ORDERED that the Petitioner's Motion To Proceed *In Forma Pauperis* is GRANTED. The Petitioner may proceed in this civil action for post-conviction relief "without being required to prepay fees or give security costs," pursuant to Miss. Code Ann. § 11-53-17.

ORDERED this the 20th of March, 2017.


CIRCUIT COURT JUDGE

FILED
DESOTO COUNTY, MISSISSIPPI

MAR 20 2017

DALE K. THOMPSON, CIRCUIT CLERK