

NO. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JERMAR JAMIE FULLER

Petitioner,

v.

THE STATE OF TEXAS

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Jermar Jamie Fuller, the Petitioner herein, moves the Supreme Court of the United States, to permit him to file and proceed on this Petition for Writ of Certiorari *in forma pauperis*. Counsel for the Petitioner has been appointed, under the provisions of the Texas Code of Criminal Procedure *in forma pauperis* (specifically, Tex. Code Crim. Pro. art. 26.044 and Tex. Code Crim. Pro. art. 26.04 *et. seq.*: in the trial court,

the 30th District Court of Wichita County, Texas, the Second Court of Appeals of Texas sitting at Fort Worth, Texas and the Texas Court of Criminal Appeals. See the Orders of the Court attached hereto. *See App. A* attached hereto. Additionally, the Declaration of Counsel regarding the financial status and *in forma pauperis* history of petitioner is attached hereto. *App. B*.

In support hereof, Counsel has attached a copy of the Order of the Texas trial court appointing the Wichita County Public Defender as counsel for Mr. Fuller.

Prayer for Relief Requested

Wherefore Premises Considered, Petitioner, Jermar Jamie Fuller respectfully prays this Court GRANT this motion and allow the Petitioner, Jermar Jamie Fuller to proceed on this case *in forma pauperis* and without being required to prepay fees and costs and file 40 copies of this petition in booklet form.

Respectfully submitted,

MELVIN K. HORANY
ASSISTANT PUBLIC DEFENDER

OFFICE OF THE PUBLIC DEFENDER
WICHITA COUNTY, TEXAS
600 Scott Street, Ste. 204
Wichita Falls, Texas 76301
Tel. 940-766-8199
Fax. 940-716-8561

/s/Melvin K. Horany
Melvin K. Horany

Counsel for Mr. Fuller

APPENDIX A

CAUSE NO. 01-138970 Capital Murder 10-9-16 (Capital)
01-138967 Forgery (Current) 7.6.16 (F3)

THE STATE OF TEXAS

VS.

Jemar Jamie Fuller

§
§
§
§
§

IN THE

FOR RECORD

NOV 03 2016

OF

CENTRAL MAGISTRATE OFFICE
WICHITA COUNTY, TEXAS

ORDER APPOINTING ATTORNEY

Pursuant to application for court appointed counsel for indigent defendant heretofore presented to the Court, and after having given the same due consideration, the Court is of the opinion that an attorney should be appointed to represent the defendant in the above entitled and numbered cause.

It is ordered that (the Public Defender or **PUBLIC DEFENDER**, a practicing and qualified attorney) be, and said attorney is hereby appointed as attorney for the defendant in the above entitled and numbered cause. This appointment is effective the date of this order, or such earlier date as actual notice of such appointment may have been given to said attorney, if the same appears anywhere in the record of this cause.

____ If the Public Defender is not appointed, said attorney is among the next five names on the applicable appointment list for the offense charged.

____ Said attorney is not among the next five names on the applicable appointment list for the offense charge and the good cause for this attorney to be appointed is:

____ Denied - Not Indigent

____ Denied- Incomplete

____ Denied -Refused to fill out application

____ Denied- Pro Se

Signed this 3 day of Nov, 2016

[Signature]
JUDGE PRESIDING

COPIES MAILED TO:

Attorney: **PUBLIC DEFENDER**
Attorney's Phone # 940-766-8199
Court Administrator
Defendant: _____

JAIL 8/3

RECEIVED

NOV 3 2016

COURT ADMINISTRATOR'S
OFFICE

USE INK PENS ONLY - NO PENCILS

BOOK-IN # AH6600

CASE NO(S): _____

CHARGE(S): Misd. _____ Felony _____ Other _____

UNSWORN DECLARATION OF INABILITY TO HIRE COUNSEL
AND REQUEST FOR COURT-APPOINTED COUNSEL

(For use by inmates only)

1. What is your full legal name? Jermar Fuller
What is the street address, town, state, and zip code where you live or stay? (MUST LIST ADDRESS) 80 evergreen Dr. Wichita Falls TX 76799 What is your date of birth? 11-15-93
2. Are you a U. S. citizen? yes If you answered "No" to this last question, what is your country of citizenship? _____
3. What is the telephone number where you live or stay? 940-228-8348 What is your cell phone number? 940-228-8348
4. Who pays for the place where you live or stay? DAD - Jamie Fuller How is this person related to you? DAD How much do they pay each month? \$ 50 How many people live in the place where you live? 2 About how much money do all the adults that you live with make together each month? \$ 2800
5. Do you have any children? yes How many? 2 Do your children live with you? NO Do you get child support? NO How much each month? \$ - If your children do not live with you, do you pay child support? yes How much each month? \$ 270
6. Do you have a job? NO Where do you work? NA How much do you get paid? \$ NA per (mo./wk./hr.) if paid per hr. how many hrs. do you work per wk. _____
7. If you don't work right now, when is the last time you had job? 1 year Where did you work? Fredrick printing When is the last time you got paid? December 2015 How much? 340
8. Do you get any welfare, disability, pension or unemployment benefits? NO What kind? NA Total each month? \$ NA
9. Do you own a car, truck or motorcycle? NO Which? NA Is it (are they) paid for? NA How much is it (are they) worth? \$ NA
10. Do you own a house or any land? NO Which? NA Is it paid for? NA What is it worth? \$ NA
11. Do you have any cash anywhere? NO How much? \$ NA Do you have any bank accounts? NA How much money do you have in the bank? \$ NA
12. Are you in jail? yes How much is your bond? \$ 4,000,000 Can you make your bond? NO Can anyone else make your bond? NO Who? NA If you have already made bond, who is your bondsman? NA How much are you paying your bondsman? \$ _____ ea. mo./wk.
13. Was anybody else charged with this offense with you? NO Who? NA

____ I DECLINE TO COMPLETE THIS APPLICATION _____ (Defendant's initials)

I HEREBY AUTHORIZE THE COURT ADMINISTRATOR TO VERIFY THIS INFORMATION FROM ANY SOURCE.

"My name is Jermar Fuller. My date of birth is 11-15-93.

My inmate identifying number, if any, is AH 6600. I am presently incarcerated in Wichita Falls
Annex Jail, in Wichita Falls, Falls County, Texas. I DECLARE

UNDER PENALTY OF PERJURY that the foregoing is true and correct."

Executed the 2nd day of November, 2016.

DECLARANT J Fuller

ANSWER ALL QUESTIONS

REV. 10-17-16

APPENDIX B

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DECLARATION IN SUPPORT OF
MOTION TO PROCEED *IN FORMA PAUPERIS*

I, Melvin K. Horany, an attorney admitted to practice before the Supreme Court of the United States hereby declare that I am the attorney for the Petitioner Jermar Jamie Fuller. I am familiar with the financial status of the petitioner and, upon information and belief, declare that he is an indigent person. The courts of the State of Texas, of both general and appellate jurisdiction within the State of Texas have previously entered findings or acknowledged that Mr. Fuller is an

indigent person under the laws of the State of Texas. Documentation in support is included in support of this Motion.

I declare this under penalty of perjury that the foregoing is true and correct.

Executed on December 15, 2021.

/s/Melvin K. Horany
Melvin K. Horany

Counsel for the Petitioner