

NO.\_\_\_\_\_

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

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**JERMAR JAMIE FULLER**  
*Petitioner,*  
v.

**THE STATE OF TEXAS**  
*Respondent.*

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

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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 pauparis*. 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 30<sup>th</sup> 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 Cont'd.

01-138967 forgay (Currenay) 7616 43

FOR RECORD

THE STATE OF TEXAS

VS.

Jemar Jamie Fuller

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§  
§  
§  
§

IN THE

OF

CENTRAL MAGISTRATE OFFICE  
WICHITA COUNTY, TEXAS

NOV 03 2016

**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

  
JUDGE PRESIDING

**COPIES MAILED TO:**

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

**RECEIVED**

NOV 3 2016

COURT ADMINISTRATOR'S  
OFFICE

JAIL 83

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) 50 evergreen Dr. Wichita Falls TX 76301
- Are you a U. S. citizen? yes If you answered "No" to this last question, what is your country of citizenship? \_\_\_\_\_
- What is the telephone number where you live or stay? 940-228-8348 What is your cell phone number? 940-228-8348
- 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
- Do you have any children? 1PS How many? 2 Do your children live with you? NO Do you get child support? NO How much each month? \$ 1 If your children do not live with you, do you pay child support? YES How much each month? \$ 270
- 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.
- 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
- Do you get any welfare, disability, pension or unemployment benefits? NO What kind? NA Total each month? \$ NA
- 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
- Do you own a house or any land? NO Which? NA Is it paid for? NA What is it worth? \$ NA
- 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
- 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.
- 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 AH6600 . I am presently incarcerated in Wichita Falls Annex Jail, in Wichita Falls, Texas County, Texas . I DECLARE

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

Executed the 2nd day of November, 2016.

DECLARANT

**ANSWER ALL QUESTIONS**

REV. 10-17-16

## APPENDIX B

NO.\_\_\_\_\_

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**SUPREME COURT OF THE UNITED STATES**

---

**JERMAR JAMIE FULLER**  
*Petitioner,*  
v.

**THE STATE OF TEXAS**  
*Respondent.*

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

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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*