

CASE NO.: \_\_\_\_\_

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**MAURICE O. BYRD, JR.**

**Petitioner**

**vs.**

**STATE OF TENNESSEE**

**Respondent**

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

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Comes now the Petitioner, Maurice O. Byrd, Jr., and respectfully moves this Honorable Court to allow him to proceed *in forma pauperis* to present this matter. Petitioner is indigent and has been continuously incarcerated since 2009. Petitioner is without funds to pay for printed briefs or court costs. An affidavit is attached supporting this motion. Counsel for Petitioner is acting on a strict *pro bono* basis, without any fee for presentation of the petition for writ of *certiorari*. Petitioner has not previously been declared indigent in any federal court, but Petitioner was declared indigent for his 2011 jury trial for which he is now incarcerated. In the event that the petition is granted, Petitioner would request that *pro bono* counsel be appointed to represent Petitioner under CJA 20.

Executed this 18<sup>th</sup> day of February, 2022.

Respectfully submitted:

/s/Gregory D. Smith  
Gregory D. Smith  
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**CERTIFICATE OF SERVICE**

I, Gregory D. Smith, do hereby certify that a copy of the foregoing has been mailed, postage prepaid in the U. S. Mail, to the following on this is the 18<sup>th</sup> day of February, 2022.

/s/Gregory D. Smith  
Gregory D. Smith

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