

No. _____

(CAPITAL CASE)

In the

Supreme Court of the United States

CHARLES DON FLORES,

Petitioner,

v.

TEXAS,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
TEXAS COURT OF CRIMINAL APPEALS

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner Charles Don Flores respectfully asks for leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. Petitioner is indigent and has been incarcerated on death row since 1999. He has previously proceeded *in forma pauperis* in state and federal proceedings, including in a previous proceeding before this Court. Counsel of record in this Court was appointed under 18 U.S.C. § 3599 and has been providing representation in the state court proceeding below on a *pro bono* basis. *See* Sup. Ct. R. 39.

Respectfully submitted,

/s/ Gretchen Sims Sween

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