

No. 22-5336

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

BRIAN SCOTT BERRYMAN — PETITIONER
(Your Name)

Supreme Court, U.S.
FILED
JUN - 2 2022
OFFICE OF THE CLERK

VS.

STATE OF MISSISSIPPI, ET AL. — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

TISHOMINGO County Circuit Court; COURT OF APPEALS FOR THE STATE OF
Mississippi; SUPREME COURT FOR THE STATE OF Mississippi

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: _____, or _____

a copy of the order of appointment is appended. (APPENDIX A, B and C).

Brian Scott Berryman
(Signature)

APPENDIX A

1. ORDER GRANTING DEFENDANT TO PROCEED IN FORMA PAUPERIS
DATED MARCH 3, 2020 (SIDE 1)
2. Correspondence from STATE Circuit Court Clerk to the CLERK
OF THE STATE Court of Appeals/Supreme Court Clerk (side 2)

IN THE CIRCUIT COURT OF TISHOMINGO COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VS.

CAUSE NO. CR17-151
CR17-183

BRIAN SCOTT BERRYMAN

DEFENDANT

ORDER

THIS CAUSE is before the Court on Defendant Brian Scott Berryman's Motion to Proceed *in forma pauperis* on appeal. This Court certifies that the Defendant is indigent and may proceed *in forma pauperis*.

IT IS THEREFORE ORDERED that Brian Scott Berryman's Motion to Proceed *in forma pauperis* shall be and same is GRANTED. The Circuit Clerk shall mail a copy of this Order to the Defendant and the Clerk for the Mississippi Supreme Court.

SO ORDERED, this the 3rd day of March, 2020.

Paul Funderburk Jr

PAUL S. FUNDERBURK
CIRCUIT JUDGE

TISHOMINGO COUNTY
FILED

MAR 03 2020

JOSH McNATT, CIRCUIT CLERK
BY Kimberly Wilson

27.7

Josh McNatt

Tishomingo County Circuit Court Clerk

1008 Battleground Drive
Room #204
Iuka, Mississippi 38852

Office (662) 423-7026
Fax (662) 423-1667
Cell (662) 424-3835



March 3, 2020

Honorable Jeremy Whitmire
Clerk of Mississippi Supreme Court
PO Box 249
Jackson, MS 39205-0249

RE: Brian Scott Berryman vs. State of Mississippi
Tishomingo County Cause CR 17-183 & CR 17-151
Supreme Court No. 2020-TS-00198 - -

Mr. Whitmire, I have enclosed a certified copy of the order to Proceed *in forma pauperis* granted by the Circuit Court on March 3, 2020. The information sheet you requested sent with the checks from Tishomingo County will not reflect this order. At the time I completed the information sheet Mr. Berry had not been granted IFP status. If more information is required from me please let me know.

Sincerely,

Josh McNatt 3/3/20
Josh McNatt

Cc: File

TISHOMINGO COUNTY
FILED

MAR 03 2020

JOSH MCNATT, CIRCUIT CLERK
BY Kimberly Wilson

276

joshmcnatt@co.tishomingo.ms.us

APPENDIX B

1. ORDER APPOINTMENT OF COUNSEL DATED 6/11/2020

IN THE CIRCUIT COURT OF TISHOMINGO COUNTY, MISSISSIPPI
STATE OF MISSISSIPPI
VS. CAUSE NO. CR17-151
CR17-183
BRIAN SCOTT BERRYMAN DEFENDANT
ORDER

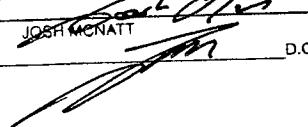
The Court hereby appoints Will Bristow, Esq. to represent Defendant in the above criminal causes.

SO ORDERED AND ADJUDGED this the 11th day of JUNE, 2020.


KELLY L. MIMS
CIRCUIT JUDGE


ADMINISTRATOR

JUN 11 2020 
PROCESSED
NOT FILED

STATE OF MISSISSIPPI
COUNTY OF TISHOMINGO
I, JOSH MCNATT, Clerk of the Circuit Court of the
said County and State do hereby certify that the foregoing
constitutes a true and correct copy of said instrument of writing
as appears of record in Circuit Book, on
page CR 17-151 of records now on file in said clerk's
office CR 17-183.
Given under my hand and official seal, this 15th day
of June 2020
By JOSH MCNATT 
D.C.



107/481
TISHOMINGO COUNTY
FILED
JUN 15 2020
JOSH MCNATT, CIRCUIT CLERK
BY Susan Long

APPENDIX C

ORDER GRANTING LEAVE of Court TO PROCEED ON APPEAL IN
FOR VNA PAUPERIS DATED 7/1/2020

IN THE CIRCUIT COURT OF TISHOMINGO COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

PLAINTIFF

VS.

CAUSE NO.: CR17-183

BRIAN SCOTT BERRYMAN

DEFENDANT

**ORDER GRANTING LEAVE OF COURT TO
PROCEED ON APPEAL IN FORMA PAUPERIS**

THE COURT HAS BEFORE IT the Motion of Defendant for Leave of Court to Proceed on Appeal *In Forma Pauperis*, and the Court, having considered the premises, affirmatively finds the Defendant to be indigent and thus finds this motion to be well-taken. Therefore, it is hereby

ORDERED that the Defendant be, and hereby is, granted leave of this Court to proceed with his appeal *in forma pauperis*.

SO ORDERED this the 15th day of July, 2020.


TISHOMINGO COUNTY CIRCUIT JUDGE

STATE OF MISSISSIPPI,
COUNTY OF TISHOMINGO
I, JOSH MCNATT, Clerk of the Circuit Court of the
said County and State do hereby certify that the foregoing
constitutes a true and correct copy of said instrument of writing
as appears of record in Circuit Book on
page CR 17-183 of records now on file in said clerk's
office.
Given under my hand and office at seal, this 30th day
of July, 2020
JOSH MCNATT
D.C.
BY



TISHOMINGO COUNTY
FILED
JUL 01 2020
BY JOSH MCNATT, CIRCUIT CLERK
7/1/2020