

No. _____, October Term, 2022

IN THE
Supreme Court of the United States

RAHMAEL SAL HOLT,
Petitioner,

v.

COMMONWEALTH OF PENNSYLVANIA,
Respondent.

**PETITIONER'S MOTION AND AFFIRMATION
FOR
LEAVE TO PROCEED *IN FORMA PAUPERIS***

Petitioner, Rahmael Holt, through counsel, respectfully moves for leave to proceed *in forma pauperis* and submits as follows:

1. This case is before the Court on a petition for writ of certiorari.
2. Rahmael Holt is a death sentenced prisoner in Pennsylvania.
3. On October 8, 2020, the Supreme Court of Pennsylvania allowed him to proceed *in forma pauperis*, and docketed his appeal. A copy of that docket sheet is attached.
4. On January 11, 2019, the Fifth Circuit docketed his appeal, allowed him to proceed *in forma pauperis*, and appointed counsel. A copy of the docket sheet is attached.
5. Petitioner remains incarcerated today and there has been no change in his financial status. He is without funds to secure the services necessary to proceed in this Court (e.g., printing fees, etc.) or to pay any fees.

6. Undersigned counsel affirms that all statements related above are true and correct.

WHEREFORE, Petitioner requests that this Court allow him to proceed *in forma pauperis.*

Respectfully submitted,

/s/ Christine M. Selden _____

Christine M. Selden
302 Blackheath Drive
Pittsburgh PA 15205
(412) 721-8252
cseldenlaw@aol.com
Counsel for Petitioner, Rahmael Holt

Dated: August 24, 2022

Supreme Court of Pennsylvania



Capital Appeal Docket Sheet

Docket Number: 789 CAP

Page 1 of 5

August 19, 2022

CAPTION

Commonwealth of Pennsylvania, Appellee

v.

Rahmael Sal Holt, Appellant

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Decided/Active

Journal Number: J-64-2021 October 13, 2021

Case Category: Capital Case Type(s): Murder 1

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Attorney: Dawson, Timothy Paul

Address: 189 Main St
PO Box 430
Adamsburg, PA 15611

Phone No: (724) 527-5717

Receive Mail: Yes

Representing: Holt, Rahmael Sal, Appellant

Pro Se: No

IFP Status:

Attorney: Peck, John W., II
Westmoreland County District Attorney's OfficeAddress: Westmoreland Co Da's Ofc
2 N Main St Ste 206
Greensburg, PA 15601-2405

Phone No: (724) 830-3949

Receive Mail: Yes

Representing: Commonwealth of Pennsylvania, Appellee

Pro Se: No

IFP Status:

Attorney: Eisenberg, Ronald
Pennsylvania Office of Attorney GeneralAddress: Pennsylvania Attorney General's Office
1600 Arch St
Philadelphia, PA 19103

Phone No: (267) 940-6676

Receive Mail: Yes

Representing: Commonwealth of Pennsylvania, Appellee

Pro Se: No

IFP Status:

Supreme Court of Pennsylvania



Capital Appeal Docket Sheet

Docket Number: 789 CAP

Page 2 of 5

August 19, 2022

COUNSEL INFORMATION

Attorney: Lazar, James Thomas
 Address: Westmoreland County District Attorney's Office
 Westmoreland Co Da's Ofc
 2 N Main St Ste 206
 Greensburg, PA 15601-2405
 Phone No: (724) 830-3949
 Receive Mail: Yes
 Representing: Commonwealth of Pennsylvania, Appellee
 Pro Se: No
 IFP Status:

SUPREME COURT INFORMATION

Appeal From: the Judgment of Sentence entered on February 12, 2020 in the Court of Common Pleas, Westmoreland County, Criminal Division at No. CP-65-CR-0005539-2017. Post-Sentence Motions denied August 21, 2020.
 Appeal Filed Below: 9/10/2020 12:00:00AM

Probable Jurisdiction Noted: Docketed Date: October 9, 2020
 Allocatur/Miscellaneous Granted: Allocatur/Miscellaneous Docket No.:
 Allocatur/Miscellaneous Grant Order:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
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INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Docket Number:
 Date of Order: Rearg/Recon Disp Date:
 Rearg/Recon Disposition:
 Judge(s):
 Intermediate Appellate Court Action:
 Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Westmoreland County Court of Common Pleas
 County: Westmoreland Division: Westmoreland County Criminal Division
 Date of Agency/Trial Court Order: February 12, 2020
 Docket Number: CP-65-CR-0005539-2017
 Judge(s): Hathaway, Rita D. OTN:
 Order Type: Judgment of Sentence

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Original Record	January 26, 2021	1 Part
Transcript(s)	January 26, 2021	16 Volumes

Record Remittal:

Supreme Court of Pennsylvania



Capital Appeal Docket Sheet

Docket Number: 789 CAP

Page 3 of 5

August 19, 2022

BRIEFING SCHEDULE

Appellant

Holt, Rahmael Sal

Brief

Due: April 5, 2021

Filed: April 5, 2021

Appellee

Commonwealth of Pennsylvania

Brief

Due: May 28, 2021

Filed: May 28, 2021

Reply Brief

SESSION INFORMATION

Journal Number: J-64-2021
 Listed/Submitted Date: October 13, 2021
 Consideration Type: Submit on Briefs Supreme

DISPOSITION INFORMATION

Related Journal No:	J-64-2021	Judgment Date:	April 28, 2022
Category:	Decided	Disposition Author:	Donohue, Christine
Disposition:	Affirmed	Disposition Date:	April 28, 2022
Dispositional Filing:	Majority Opinion	Author:	Donohue, Christine
Filed Date:	April 28, 2022		
Justice:	Baer, Max	Vote:	Join Majority Opinion
Justice:	Todd, Debra	Vote:	Join Majority Opinion
Justice:	Wecht, David N.	Vote:	Did Not Participate in Consid/Decision of Case
Dispositional Filing:	Concurring Opinion	Author:	Dougherty, Kevin M.
Filed Date:	April 28, 2022		
Justice:	Mundy, Sallie	Vote:	Join Concurring Opinion
Justice:	Brobson, P. Kevin	Vote:	Join Concurring Opinion

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
September 10, 2020	Notice of Appeal Filed	Appellant	Holt, Rahmael Sal
October 8, 2020	Verified Statement in Support of Continuation of IFP Status	Appellant	Holt, Rahmael Sal
October 8, 2020	IFP Continued		Wallace, Phoenicia D. W.
January 26, 2021	Trial Court Record Received		Westmoreland County Criminal Division

Supreme Court of Pennsylvania



Capital Appeal Docket Sheet

Docket Number: 789 CAP

Page 4 of 5

August 19, 2022

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 2, 2021	Application for Extension of Time to File Brief - First Request	Appellant	Holt, Rahmael Sal
March 3, 2021	Order Granting Application for Extension of Time to File Appellant Brief		Wallace, Phoenicia D. W.
Comments:			
AND NOW, this 3rd day of March 2021, the Motion for an Extension to File Appellant's Brief is GRANTED to the extent Appellant is granted an additional thirty (30) days from the date of this Order. Appellant's Brief is due on or before April 5, 2021. No further extension requests will be entertained or granted.			
March 3, 2021	Order Exited		Office of the Prothonotary
April 5, 2021	Appellant's Brief Filed	Appellant	Holt, Rahmael Sal
April 26, 2021	Application for Extension of Time to File Brief - First Request	Appellee	Commonwealth of Pennsylvania
April 28, 2021	Order Granting Application for Extension of Time to File Appellee Brief		Wallace, Phoenicia D. W.
Comments:			
AND NOW, this 28th day of April 2021, the Motion for an Extension to File Appellee's Brief is GRANTED to the extent Appellee is granted an additional thirty (30) days from the date of this Order. Appellee's Brief is due on or before May 28, 2021. No further extension requests will be entertained or granted.			
April 28, 2021	Order Exited		Office of the Prothonotary
May 28, 2021	Appellee's Brief Filed	Appellee	Commonwealth of Pennsylvania
September 15, 2021	Notice of Recusal on behalf of Justice Wecht		Wallace, Phoenicia D. W.
September 15, 2021	Acknowledgement of Argument Notice	Commonwealth of Pennsylvania	Appellee
			Peck, John W., II
September 16, 2021	Acknowledgement of Argument Notice	Holt, Rahmael Sal	Appellant
			Dawson, Timothy Paul
September 17, 2021	Acknowledgement of Argument Notice	Commonwealth of Pennsylvania	Appellee
			Lazar, James Thomas
October 13, 2021	Letter Consenting to Submission on Brief	Holt, Rahmael Sal	Appellant
			Dawson, Timothy Paul
October 13, 2021	Submitted on Brief		Office of the Prothonotary

Supreme Court of Pennsylvania



Capital Appeal Docket Sheet

Docket Number: 789 CAP

Page 5 of 5

August 19, 2022

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 28, 2022	Affirmed		Donohue, Christine
Comments:			
We Affirm all convictions and the sentence of death.			
Chief Justice Baer and Justice Todd join the opinion.			
Justice Dougherty files a concurring opinion in which Justices Mundy and Brobson join.			
Justice Wecht did not participate in the consideration or decision of this matter.			
April 28, 2022	Judgment Entered		Office of the Prothonotary
April 28, 2022	Opinion/Order and Rule 2521(b) Notice Exited		Office of the Prothonotary
July 21, 2022	Notice of Extension of Time Granted		Clerk of the U.S. Supreme Court