

No. _____

IN THE
Supreme Court of the United States

Benjamin Cole,
Petitioner

v.

Jim Farris, Warden,
Oklahoma State
Penitentiary, *Respondent*

**On Petition for Writ of Certiorari to the
Oklahoma Court of Criminal Appeals**

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Mr. Cole respectfully requests leave to file the attached Petition for Writ of Certiorari without payment of costs and to proceed in forma pauperis pursuant Rule 39 of the Rules of the Supreme Court of the United States and pursuant 18 U.S.C. § 3006A(d)(7). In support thereof, Petitioner/Applicant Cole states as follows:

Mr. Cole is in the custody of the State of Oklahoma, Oklahoma Department of Corrections, incarcerated under a conviction of first-degree murder for which he has been sentenced to death.

Mr. Cole is indigent and has been represented by appointed counsel throughout these proceedings. On June 3, 2008, the United States District Court for the Northern District of Oklahoma, Case No. 08-CV-0328-CVE-PJC, appointed the Federal Public Defender's Office to represent Mr. Cole pursuant 18 U.S.C. § 3006A. This motion precedes and is attached to the Petition for Writ of Certiorari in compliance with Sup. Ct. R. 39.2.

Respectfully Submitted: October 17, 2022

/s/ Thomas D. Hird

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