

No.

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IN THE  
Supreme Court of the United States

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MURRAY HOOPER,  
*Petitioner*,  
v.  
DAVID SHINN, et al.,  
*Respondent*.

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**On Petition for Writ of Certiorari to the  
Arizona Supreme Court**

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

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JON M. SANDS  
FEDERAL PUBLIC DE-  
FENDER  
KELLY CULSHAW\*  
ASSISTANT FEDERAL  
PUBLIC DEFENDER  
DISTRICT OF ARIZONA  
850 West Adams Street  
Suite 201  
Phoenix, AZ 85007  
(602) 382-2816

*Counsel for Petitioner*

\* Counsel of Record

Petitioner Murray Hooper respectfully asks leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed in forma pauperis.

Petitioner is an indigent prisoner incarcerated in Arizona and facing execution on November 16, 2022. He has previously been granted leave to proceed in forma pauperis and in 2008, the Federal Public Defender was appointed by the U.S. Court of Appeals for the Ninth Circuit to represent him in his habeas proceedings. *See* attached Appointment Order. Counsel's appointment is authorized under 18 U.S.C. § 3599(e) and 18 U.S.C. 3006A.

Respectfully submitted,

JON M. SANDS  
FEDERAL PUBLIC DEFENDER  
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Counsel for Petitioner

November 15, 2022

**FILED**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

NOV 20 2008

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

MURRAY HOOPER,

Petitioner-Appellant,

v.

DORA B. SCHIRO, Director,

Respondent - Appellee.

No. 08-99024

D.C. No. 2:98-cv-02164-SMM  
District of Arizona

ORDER

Before: Peter L. Shaw, Appellate Commissioner

The motion by Appellant's appointed counsel, Philip A. Seplow, Esq., to withdraw and to substitute the Office of the Federal Public Defender for the District of Arizona as co-counsel for Appellant is granted. Thomas J. Phalen, Esq., will remain as co-counsel.

The Clerk shall serve a copy of this order on Jon M. Sands, Federal Public Defender, 850 West Adams Street, Suite 201, Phoenix, Arizona 85007. Within 14 days after the filing date of this order, Mr. Sands shall notify this Court in writing of the name of the assistant Federal Public Defender who will represent Appellant.

The briefing schedule set on November 4, 2008 remains in effect.