

No. 23 - \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

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TERRENCE LOWELL HYMAN,

Petitioner,

-v-

EDDIE M. BUFFALOE JR.,  
Secretary, North Carolina  
Department of Public Safety,

Respondent.

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MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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Petitioner, Terrence Lowell Hyman, by and through undersigned counsel, asks leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit without prepayment of fees and costs, and to proceed *in forma pauperis*, pursuant to Rule 39 of the Rules of this Court.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following courts: the United States District Court for the Eastern District of North Carolina, Western Division, and the United States Court of Appeals for the Fourth Circuit.

Petitioner's affidavit or declaration is not attached because the court below, the United States Court of Appeals for the Fourth Circuit, appointed counsel in the current proceeding. A copy of the order of appointment is appended as Exhibit A.

Respectfully submitted this 3rd day of February, 2023.

A handwritten signature in dark ink, appearing to read "Kristen L. Todd", written over a horizontal line.

KRISTEN L. TODD

ktodd@ncpls.org

N. C. Prisoner Legal Services, Inc.  
1110 Wake Forest Road  
Raleigh, North Carolina 27604  
(919) 856-2200

Counsel for Petitioner

# **EXHIBIT A**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 21-6852  
(5:08-hc-02066-BO)

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TERRENCE LOWELL HYMAN

Petitioner - Appellee

v.

ERIK A. HOOKS

Respondent - Appellant

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O R D E R

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The court appoints Kristen Lindsay Todd to represent appellee. Counsel is referred to the [CJA Payment Memorandum](#) and the [CJA eVoucher Page](#) for information on appointment terms and procedures.

If preparation of transcript is necessary, CJA authorization for preparation of transcript is obtained by submitting an AUTH-24 request in the district eVoucher system. New appellate counsel must contact district eVoucher staff for appointment to the underlying district court case in order to submit the AUTH-24 request for district judge approval and the CJA 24 voucher for transcript payment.

Counsel must also submit a Transcript Order Form to the court reporter and district court and file the same in the court of appeals with the docketing statement. Upon filing of the Transcript Order Form, the Fourth Circuit will set deadlines for completion of the transcript.

CJA 20 and 21 vouchers are submitted for payment through the Fourth Circuit's CJA eVoucher system. Upon receiving email notification of this appointment from eVoucher, counsel may create CJA 20 and 21 vouchers for use in maintaining time and expense records and paying for expert services.

All case filings must be made using the court's Electronic Case Filing system (CM/ECF). Counsel not yet registered for electronic filing should proceed to the court's web site to register as an ECF filer. See [Required Steps for Registration as an ECF Filer](#). All filings must comply with this Court's [Memorandum on Sealed and Confidential Materials](#). Counsel shall file an [Appearance of Counsel form](#) within 14 days of the date of this order.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk