

No. _____

IN THE
Supreme Court of the United States

DONALD DAVID DILLBECK,

Petitioner,

v.

STATE OF FLORIDA, AND SECRETARY, FLORIDA
DEPARTMENT OF CORRECTIONS,

Respondents.

*On Petition for a Writ of Certiorari to the
Supreme Court of Florida*

MOTION TO PROCEED IN FORMA PAUPERIS

***THIS IS A CAPITAL CASE
WITH AN EXECUTION SCHEDULED FOR
THURSDAY, FEBRUARY 23, 2023, AT 6:00 P.M.***

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Petitioner, **DONALD DAVID DILLBECK**, asks leave of this Court, pursuant to Supreme Court Rule 39, to proceed *in forma pauperis* (IFP) in connection with his application for a stay of execution and petition for a writ of certiorari. Mr. Dillbeck is an indigent prisoner on Florida's death row with a scheduled execution on February 23, 2023, at 6:00 p.m.

Mr. Dillbeck was previously granted IFP status by Florida's state and federal courts. Counsel of record for Mr. Dillbeck in this Court, the Capital Habeas Unit of the Office of the Federal Public Defender for the Northern District of Florida, was appointed to represent Mr. Dillbeck by the United States District Court for the Northern District of Florida, under 18 U.S.C. § 3599, on February 11, 2016. Mr. Dillbeck's co-counsel in this Court, Mr. Baya Harrison, was appointed to represent Mr. Dillbeck by the Leon County Circuit Court, under Fla. Stat. §§ 27.710-.711, on September 11, 2013.

Pursuant to Supreme Court Rule 39, Mr. Dillbeck respectfully requests that he be allowed to proceed *in forma pauperis*.

Respectfully submitted,

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