

No.

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2022

BENJAMIN YOUNG,

Petitioner,

v.

STATE OF ALABAMA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE ALABAMA COURT OF CRIMINAL APPEALS

MOTION TO PROCEED *IN FORMA PAUPERIS*

Petitioner Benjamin Young, pursuant to Rule 39 of the Rules of the Supreme Court of the United States, respectfully requests leave to file the attached Petition for Writ of Certiorari to the Alabama Court of Criminal Appeals without prepayment of costs and to proceed *in forma pauperis*. Petitioner was declared indigent prior to his trial and proceeded *in forma pauperis* in all prior proceedings in state court. *See* Sup. Ct. R. 39(1). The order appointing counsel is attached as Appendix A and is in the Clerk's Record at page 31.

For these reasons, Mr. Young respectfully requests that this Court grant him leave to proceed *in forma pauperis* in this Court.

Respectfully Submitted,

/s/ Angela L. Setzer
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February 21, 2023

Counsel for Petitioner

Appendix A



ELECTRONICALLY FILED
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CIRCUIT COURT OF
COLBERT COUNTY, ALABAMA
NANCY L. HEARN, CLERK

IN THE DISTRICT COURT OF COLBERT COUNTY, ALABAMA

STATE OF ALABAMA

V.

YOUNG BENJAMIN

Defendant.

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Case No.: DC-2016-000113.00

ORDER

The Affidavit of Hardship filed by the Defendant is hereby GRANTED.

The Hon. Nathan Johnson and the Hon. B. T. Gardner, Jr. are hereby appointed to represent the above named Defendant. The Clerk shall forward notice of said appointment to the attorneys of record.

DONE this 10th day of May, 2016.

/s/ CHAD D. COKER

DISTRICT JUDGE