

DOCKET NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

BILLY LEON KEARSE,
Petitioner

vs.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,
Respondent.

MOTION TO PROCEED *IN FORMA PAUPERIS*

CAPITAL CASE

Counsel for Petitioner BILLY LEON KEARSE, asks leave of this Court to proceed *in forma pauperis* in this proceeding. Mr. Kearse has been found indigent by each state court in which he has challenged this conviction and sentence and has been allowed to proceed *in forma pauperis* before this Court, the Florida Supreme Court, the Circuit Court of the Nineteenth Judicial Circuit in and for St. Lucie County, Florida, the United States District Court for the Southern District of Florida, and the United States Court of Appeals for the Eleventh Circuit.

Capital Collateral Regional Counsel-South (CCRC-South) is a Florida state agency charged with the statutory responsibility of providing legal representation in both state and federal capital postconviction proceedings to people convicted and

sentenced to death in Florida. Part IV, Chapter 27, Florida Statutes (1994), is the CCRC-South enabling statute. CCRC-South has been counsel of record for Petitioner in his state postconviction proceedings since September, 2000. Undersigned counsel is a member of the Bar of this Court, is an attorney employed by CCRC-South, and has been lead counsel for Petitioner since 2005.

WHEREFORE, Mr. Kearse requests permission to proceed in this action *in forma pauperis*.

Respectfully submitted,

/s/ Paul Kalil
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