

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 2022

DENNIS HICKS,
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 Dennis Hicks, 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.

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

Respectfully Submitted,

/s/ Angela L. Setzer

ANGELA L. SETZER

122 Commerce Street

Montgomery, AL 36104

Phone: (334) 269-1803

Fax: (334) 269-1806

asetzer@ejj.org

March 20, 2023

Counsel for Petitioner

Appendix A

**IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA**

STATE OF ALABAMA)	
)	
V.)	Case No.: CC-2012-004687.00
)	
HICKS DENNIS)	
Defendant.)	

ORDER**INDIGENT DEFENDANT QUALIFICATION**

Defendant desires the assistance of counsel;

Defendant has an income level at or below 125 percent of the United States poverty level and the Court finds the defendant is unable to pay for the cost of counsel to represent defendant on this case;

It is ordered and adjudged by the Court that Arthur Powell and Russell Bergstrom both licensed attorneys be and are hereby appointed to represent, assist and defend the defendant in this case.

The Indictment was read to the Defendant.

The Defendant plead not guilty and reserved the right to file special pleas within 20 days.

Case set for disposition on March 28, 2013 at 9:00 a.m.

Case set for trial on September 23, 2013 at 9:00 a.m.

IN COURT: Defendant, Defendant's attorney, Arthur Powell and Assistant District Attorney, Kristy Dugan.

DONE this 28th day of February, 2013.

/s/ JOSEPH S. JOHNSTON

CIRCUIT JUDGE