

No. _____ (CAPITAL CASE)

IN THE SUPREME COURT OF THE UNITED STATES

CARL LINDSEY,
Petitioner,

v.

WARDEN CHARLOTTE JENKINS,
Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

No execution date is presently scheduled.

Deborah L. Williams,
Federal Public Defender
by:

Julie C. Roberts (MA 688233)
(Supreme Court Bar No. 318897)

**Counsel of Record*

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Counsel for Petitioner Carl Lindsey

Petitioner Carl Linsey, pursuant to Sup Ct. R. 39.1, respectfully moves for leave to file the Petition for Writ of Certiorari in the Supreme Court of the United States without payment of costs and to proceed in forma pauperis.

Petitioner Lindsey was previously found financially unable to obtain counsel. The United States District Court for the Southern District of Ohio first appointed the Ohio Public Defender as counsel for Lindsey under former 21 U.S.C. § 848, now 18 U.S.C. § 3599. The same court, pursuant to the same statutory provision, later appointed the Office of the Federal Public Defender for the Southern District of Ohio, Capital Habeas Unit as counsel. Therefore, in reliance upon Rule 39.1 and 18 U.S.C. § 3599(e), Lindsey has not attached the affidavit which would otherwise be required by 28 U.S.C. § 1746.

Respectfully submitted,

Deborah L. Williams,
Federal Public Defender
by:



Julie C. Roberts (MA 688233)
(Supreme Court Bar No. 318897)

**Counsel of Record*

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