

No. _____

CAPITAL CASE

IN THE SUPREME COURT OF THE UNITED STATES

JOHNNY JOHNSON,

Petitioner,

v.

**DAVID VANDERGRIFF, Superintendent,
Potosi Correctional Center**

Respondent.

**PETITIONER'S MOTION FOR LEAVE TO PROCEED
*IN FORMA PAUPERIS***

COMES NOW petitioner, Johnny Johnson, by and through counsel, and requests leave to file the attached petition for a writ of certiorari *in forma pauperis* without prepayment of costs. In support of this motion, petitioner states:

1. Petitioner is an indigent prisoner in state custody under a sentence of death.
2. Due to his incarceration, petitioner has insufficient funds with which to pay the fees and expenses involved in filing the present petition for a writ of certiorari. Petitioner has previously been granted leave to proceed *in forma pauperis*

in all of his prior state and federal appeals and the undersigned was appointed to represent petitioner under the Criminal Justice Act.

WHEREFORE, for the foregoing reasons, petitioner respectfully requests that this Court grant him leave to file his petition for a writ of certiorari *in forma pauperis*.

Respectfully submitted,

/s/ Kent E. Gipson

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COUNSEL FOR PETITIONER

CERTIFICATE OF SERVICE

I, Kent E. Gipson, do hereby certify that I have forwarded a copy of the foregoing to Gregory Goodwin, Office of the Attorney General, P.O. Box 899, Jefferson City, Missouri 65102, on this 31st day of July, 2023.

/s/ Kent E. Gipson

Kent E. Gipson