

NO. _____
IN THE UNITED STATES SUPREME COURT

OCTOBER TERM 2022

JUAN VALERO, Petitioner

v.

THE STATE OF TEXAS, Respondent

MOTION TO PROCEED IN FORMA PAUPERIS

To the Honorable Supreme Court of the United States of America:

Comes now, Petitioner Juan Valero, by and through his undersigned counsel, and respectfully moves that this Honorable Court grant leave for Petitioner Valero to proceed in forma pauperis, and to file the attached Petition for Writ of Certiorari to the Court of Criminal Appeals for the State of Texas without prepayment of fees:

I.

Petitioner Juan Valero was declared indigent by the District Court of El Paso County, Texas. A copy of that declaration is attached as Appendix IA. Please see the Texas Code of Criminal Procedure, Article 26.04; appointment of counsel for indigent defendants. Appendix IB.

II.

Undersigned and Attorney Carl Adrian DeKoatz were hired by Client's mother to pursue Juan Valero's pretrial bond writ remedies at the Texas District Court level in El Paso County, Texas. The trial court denied relief under Petitioner's bond writ of habeas corpus. Appendix II; CR 191. Above named counsel were not hired to pursue Juan Valero's appellate remedies; nonetheless, counsel agreed to pursue Valero's state appellate remedies without charge based upon the significance of the issue at bar. Counsel have pursued, without charge, Valero's appellate remedies to the Texas Eighth Court of Appeals, and to the Texas Court of Criminal Appeals.

Relief was denied to Petitioner Valero at both state appellate courts. Petitioner Valero has timely exhausted his state court remedies. Petitioner Valero asks this Honorable Court to allow him to proceed before this Honorable Court without his prepaying court costs and filing fees. Juan Valero has been detained at the El Paso County Jail Annex since August 5, 2020. Petitioner Valero has no means, whatsoever, to pursue certiorari without his proceeding in forma pauperis.

WHEREFORE: Petitioner Juan Valero prays that the Honorable Court allow him to proceed in forma pauperis before the Honorable Supreme Court of the United States and without prepayment of fees to pursue Valero's Writ of Certiorari. Petitioner thanks the Honorable Court and wishes the Honorable Court well.

Respectfully submitted,

/S/ Matthew Rex DeKoatz

Matthew Rex DeKoatz, Attorney
For Petitioner Juan Valero

521 Texas Ave., El Paso, TX 79901
Phone (915) 235-5330
email: mateodekoatz@yahoo.com
Texas bar I.D. 05722300

CERTIFICATE OF COMPLIANCE

This motion to proceed in forma pauperis contains 385 words printed in a proportionally spaced typeface, Times New Roman, 12.

CERTIFICATE OF DELIVERY

I hereby certify that on the below date, I delivered, via electronic means, a true and correct copy of the above instrument to: (1.) Mr. John Davis, El Paso County District Attorney's Office; and (2.) Stacey Seoul, Prosecuting Attorney for the State of Texas.

/s/ Matthew Rex DeKoatz Date: September 9, 2023

Matthew Rex DeKoatz, Attorney