

No. _____

In the
Supreme Court of the United States

BRIAN DORSEY,
Petitioner

v.

DAVID VANDERGRIFF,
Respondent

On Petition for Writ of Certiorari to the
United States Court of Appeals for the Eighth Circuit

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner Brian Dorsey asks leave to file the attached PETITION FOR WRIT OF CERTIORARI without prepayment of costs and to proceed in forma pauperis. In support of his petition, Mr. Dorsey represents that, because of his indigence, he was granted leave to proceed in forma pauperis in the United States District Court for the Western District of Missouri.

(s) Kirk J. Henderson

KIRK J. HENDERSON, Counsel of Record

Assistant Federal Public Defender

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**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

| | | |
|------------------|---|---------------------------|
| BRIAN J. DORSEY, |) | |
| |) | |
| Petitioner, |) | Case No. 15-CV-08000-W-DW |
| |) | |
| v. |) | |
| |) | |
| TROY STEELE, |) | |
| |) | |
| Respondent. |) | |

ORDER

Before the Court is the Petitioner Brian J. Dorsey's (the "Petitioner") Motion to Proceed as a Poor Person in Death Penalty Habeas Corpus Action and Motion to Appoint Counsel in a Habeas Corpus Petition Action in a Death Penalty Case. See Docs. 1, 2. After considering the motions, it is hereby ORDERED that:

1. Petitioner's Motion to Proceed as a Poor Person in Death Penalty Habeas Corpus Action (Doc. 2) is GRANTED; and
2. Petitioner's Motion to Appoint Counsel in a Habeas Corpus Petition Action in a Death Penalty Case (Doc. 1) is PROVISIONALLY GRANTED. Per the Petitioner's request, attorneys Rebecca Woodman and Carol Camp ("Counsel") of the Death Penalty Litigation Clinic, and who office in Kansas City, Missouri, are provisionally appointed to represent Petitioner in this case. Counsel shall file their entry of appearance within ten (10) days from the date of this Order. In their entry of appearance, Counsel shall confirm that they are qualified under 18 U.S.C. § 3599 to handle this matter; and
3. Petitioner shall file his Petition for a Writ of Habeas Corpus in accordance with the time limits found in 28 U.S.C. § 2244(d)(1). Respondent shall respond to the Petition within sixty (60) days after it is filed. Respondent shall address the merits of all claims, even if Respondent believes a claim has not been exhausted or has been procedurally defaulted. Respondent shall submit a copy of the official records of the State courts in accordance with 28 U.S.C. § 2254(g) when the response is filed. Petitioner shall file a traverse within sixty (60) days after the Response is filed; and
4. When the Petition is filed, Counsel for Petitioner are directed to file a proposed budget detailing the fees and expenses that they anticipate will be incurred in this case

and for which compensation or reimbursement will be sought pursuant to 18 U.S.C. § 3599(g). The proposed budget shall be filed in camera and under seal, and may be filed under seal without further order of this Court; and

5. The Clerk of Court is directed to mail a copy of this Order via certified mail, return receipt requested to the Petitioner, Rebecca Woodman, Carol Camp, Respondent Troy Steele, and to the Office of the Missouri Attorney General.

IT IS SO ORDERED.

Date: January 13, 2015

/s/ Dean Whipple
Dean Whipple
United States District Judge