

No. \_\_\_\_\_

---

---

IN THE  
**Supreme Court of the United States**

---

MICHAEL DUANE ZACK, III,

Petitioner,

v.

STATE OF FLORIDA, AND SECRETARY, FLORIDA  
DEPARTMENT OF CORRECTIONS,

Respondents.

---

*On Petition for a Writ of Certiorari to the  
Supreme Court of Florida*

---

**MOTION TO PROCEED IN FORMA PAUPERIS**

---

***THIS IS A CAPITAL CASE  
WITH AN EXECUTION SCHEDULED FOR  
TUESDAY, OCTOBER 3, 2023, AT 6:00 P.M.***

---

Stacy R. Biggart  
Fla. Bar No. 0089388  
Special Assistant CCRC-North  
20 SE 2nd Place, #407  
Gainesville, Florida 32601  
(850) 459-2226  
[stacybiggart@gmail.com](mailto:stacybiggart@gmail.com)

\*Dawn B. Macready  
Fla. Bar No. 0542611  
Chief Assistant CCRC-North  
1004 DeSoto Park Drive  
Tallahassee, Florida 32301  
(850) 487-0922  
[Dawn.Macready@ccrc-north.org](mailto:Dawn.Macready@ccrc-north.org)  
\*COUNSEL OF RECORD

---

---

Petitioner, Michael Duane Zack, III, asks leave of this Court, pursuant to Supreme Court Rule 39, to proceed *in forma pauperis* (“IFP”) in connection with his application for a stay of execution and petition for a writ of certiorari. Mr. Zack is an indigent prisoner on Florida’s death row with a scheduled execution of October 3, 2023, at 6:00 p.m.

Mr. Zack was previously granted IFP status by Florida’s state and federal courts. Undersigned counsel of record, Dawn B. Macready, Chief Assistant Capital Collateral Regional Counsel - Northern Region, was appointed to represent Petitioner by the Escambia County Circuit Court, under Fla. Stat. §§ 27.7001-27.715, on January 25, 2015.

Pursuant to Supreme Court Rule 39, Mr. Zack respectfully requests that he be allowed to proceed *in forma pauperis*.

Respectfully submitted,

/s/ STACY R. BIGGART

Stacy R. Biggart  
Fla. Bar No. 0089388  
Special Assistant CCRC-North  
20 SE 2nd Place, #407  
Gainesville, Florida 32601  
(850) 459-2226  
[stacybiggart@gmail.com](mailto:stacybiggart@gmail.com)

/s/ DAWN B. MACREADY

Dawn B. Macready  
Fla. Bar No. 0542611  
Chief Assistant CCRC-North  
1004 DeSoto Park Drive  
Tallahassee, Florida 32301  
(850) 487-0922  
[Dawn.Macready@ccrc-north.org](mailto:Dawn.Macready@ccrc-north.org)  
COUNSEL OF RECORD