

No. _____

IN THE
Supreme Court of the United States

MICHAEL DUANE ZACK,

Petitioner,

v.

RON DESANTIS, ET AL.,

Respondents.

*On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Eleventh Circuit*

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.***

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Petitioner, **MICHAEL DUANE ZACK**, 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 on October 3, 2023, at 6:00 p.m.

Mr. Zack was previously granted IFP status by Florida's state and federal courts. Counsel of record for Mr. Zack in this Court, the Capital Habeas Unit of the Office of the Federal Public Defender for the Northern District of Florida, was appointed to represent Mr. Zack by the United States District Court for the Northern District of Florida, under 18 U.S.C. § 3599, on February 11, 2020.

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

Respectfully submitted,

/s/ LINDA McDERMOTT

LINDA McDERMOTT

Counsel of Record

JESSICA HOUSTON

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