

No.

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2023

JERRY SMITH,

Petitioner,

v.

STATE OF ALABAMA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE ALABAMA SUPREME COURT

MOTION TO PROCEED *IN FORMA PAUPERIS*

Petitioner Jerry Smith, pursuant to Rule 39 of the Rules of the Supreme Court of the United States, respectfully requests leave to file the attached Petition for Writ of Certiorari to the Alabama Supreme Court without prepayment of costs and to proceed *in forma pauperis*. Petitioner was declared indigent prior to trial and was appointed counsel on appeal. See Sup. Ct. R. 39(1). The order appointing counsel is attached as Appendix A and is in the Clerk's Record at page 252.

Respectfully Submitted,

s/ Randall Susskind

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October 23, 2023

Counsel for Jerry Smith

Appendix A

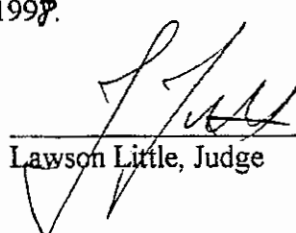
ORDER ON MOTION FOR LEAVE TO WITHDRAW

The Motion of Blake A. Green for leave to withdraw as counsel for the Defendant, having been presented to the Court and the Court having considered the same, it is the opinion of the Court that the same is well taken and due to be granted. It is therefore **ORDERED**,

ADJUDGED AND DECREED as follows:

1. Blake A. Green is allowed to withdraw as attorney of record for the Defendant.
2. The Defendant was and remains indigent.
3. The Honorable Kathleen Nemish + Chris Capps is appointed to represent the Defendant for
4. Hon. Amy Newsome is allowed to withdraw. the purposes of post-trial motions and appeal. and Blake Green.

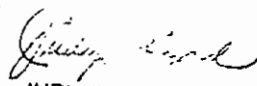
DONE THIS THE 31st DAY OF Mar, 1998.


Lawson Little, Judge

3.31-98
Notified CCA AG, DA, CR.
Depts, KN, CC, AN, BC

FILED

MAR 2 1998


JUDY BYRD, CLERK
HOUSTON CO., AL