

No.  
IN THE SUPREME COURT OF THE UNITED STATES

**JIMMIE JEROME MANNING, JR.,**  
**PETITIONER,**

v.

**STATE OF FLORIDA,**  
**RESPONDENT.**

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**ON PETITION FOR A WRIT OF CERTIORARI TO  
THE SECOND DISTRICT COURT OF APPEAL OF FLORIDA**

**PETITIONER'S MOTION TO PROCEED IN FORMA PAUPERIS**

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Petitioner Jimmie Jerome Manning Jr. moves this Court, pursuant to Rule 39.1, Rules of the Supreme Court, to declare him indigent and allow him to proceed *in forma pauperis* in this cause, in particular to waive any filing fees. As grounds therefore, Petitioner says:

1. Petitioner applies for a writ of certiorari to review the decision of the Second District Court of Appeal of Florida affirming his convictions and life sentence.

2. Petitioner was represented by court appointed assigned counsel throughout the state court proceedings and was declared indigent for purposes of trial and appeal.

3. Petitioner has been incarcerated in the Florida correctional system at Taylor Correctional Institution State Prison since February 2022, and has been indigent for all court proceedings since the time of his arrest in 2018.

4. Petitioner remains indigent and is without funds to pay fees or costs in this action. The Florida court below appointed the Office of the Public Defender to represent petitioner, and undersigned Counsel of Record is a Special Assistant Public Defender for appellate proceedings. Petitioner was declared indigent pursuant to § 27.51, Florida Statutes.

5. Federal law requires all courts of the United States to allow commencement and prosecution of any suit without prepayment of fees or costs upon the showing made above. 28 U.S.C. § 1915(a).

6. Refusal to allow Petitioner to proceed *in forma pauperis* would deny him equal protection of the law, meaningful access to the courts, and due process of law since he cannot otherwise obtain the review to which a more affluent defendant would be entitled. *See Burns v. Ohio*, 360 U.S. 252 (1959).

For these reasons, Petitioner moves that this Court declare him indigent and allow filing and prosecution of his petition without payment of any fees or costs.

November 14, 2023

Respectfully submitted,

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