

No. 23-\_\_\_\_\_

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IN THE  
SUPREME COURT OF THE UNITED STATES  
October Term 2023

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Sylvester Onyejiaka, Jr.,

*Petitioner,*

v.

State of Missouri,

*Respondent.*

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Motion to Proceed *In Forma Pauperis*  
On Petition for a Writ of Certiorari to the Supreme Court of Missouri

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## **MOTION TO PROCEED *IN FORMA PAUPERIS***

Under Supreme Court Rule 39, Appellant Sylvester Onyejiaka, Jr., moves this Court to grant him leave to file his petition for a writ of certiorari to the Supreme Court of Missouri *in forma pauperis*, and states in support:

1. In underlying criminal Cause No. 1922-CR01088-01, Mr. Onyejiaka could not afford a lawyer;
2. Mr. Onyejiaka filled out his application for services and affidavit with the Missouri State Public Defender's Office (MSPD) under Chapter 600, RSMo;
3. MSPD determined that Mr. Onyejiaka was indigent, and he was assigned a public defender in the trial division;
4. In Cause No. ED109930, the direct appeal of his underlying criminal case, Mr. Onyejiaka could not afford a lawyer;
5. Mr. Onyejiaka filled out his application for services with MSPD under Chapter 600, RSMo;
6. MSPD determined that Mr. Onyejiaka was still indigent, and he was assigned a public defender in the appellate division;
7. Mr. Onyejiaka's appellate public defender (undersigned counsel) left her employment with MSPD, but kept Mr. Onyejiaka's case as a Special Public Defender through MSPD's contract attorney program;
8. Mr. Onyejiaka is without funds or resources to afford an attorney;

9. Mr. Onyejiaka filed out his Affidavit Accompanying Motion for  
Permission to Appeal in Forma Pauperis and it attached to this motion.  
WHEREFORE, Appellant Sylvester Onyejiaka, Jr., moves this Court to  
grant him leave to file *in forma pauperis*.

Respectfully submitted,



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