

No. 23-_____
(CAPITAL CASE)

IN THE
Supreme Court of the United States

BRENDA EVERS ANDREW, PETITIONER,

v.

TAMIKA WHITE, WARDEN, RESPONDENT.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

APPLICATION TO PROCEED *IN FORMA PAUPERIS*

Petitioner, Brenda Evers Andrew, by and through undersigned counsel and pursuant to Supreme Court Rule 39, respectfully requests leave to file in this Court without prepayment of costs and to proceed *in forma pauperis*. She was determined to be indigent and appointed counsel on that basis for her direct appeal and post-conviction proceedings pursuant to state law. *See* 22 Okla. Stat. § 1355 et seq. Counsel of record has been appointed as her counsel under 18 U.S.C. §§ 3006 and 3599. No. 15-6190 (D.C. No. 5:08-CV-00832-R) (W.D. Okla. Oct. 26, 2023). That appointment includes pursuing this litigation. *See Harbison v. Bell*, 556 U.S. 180 (2009). Because counsel was appointed due to Ms. Andrew's indigency, under Supreme Rule 39, no affidavit is needed.

Dated: This the 22nd day of January 2024.

Respectfully submitted,

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