

No: \_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

MARKEITH LOYD,

Petitioner,

v.

FLORIDA,

Respondent.

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**ON PETITION FOR WRIT OF CERTIORARI TO THE  
FLORIDA SUPREME COURT**

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**MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

The petitioner asks leave, pursuant to Rule 39, to proceed *in forma pauperis*.

Petitioner has previously been found indigent by the Circuit Court, Ninth Judicial Circuit, in and for Orange County, Florida. That court's order declaring defendant indigent is attached. (Appendix A)

Petitioner's Affidavit of Insolvency for Purpose of Appeal and the Order Appointing the Public Defender's Office for the Purpose of Appeal is attached hereto. (Appendix B)

The petitioner has been incarcerated without interruption since the charges were first brought.

MATTHEW J. METZ  
PUBLIC DEFENDER  
SEVENTH JUDICIAL CIRCUIT OF  
FLORIDA

Nancy Ryan  
Counsel of Record  
Assistant Public Defender  
Florida Bar No. 0765910  
444 Seabreeze Boulevard, Suite 210  
Daytona Beach, Florida 32118  
(386) 254-3758  
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# APPENDIX A

In the Circuit Court of the  
Ninth Judicial Circuit, in and  
for Orange County, Florida

Division: Circuit Criminal Divisions - Felony

Case No: 2017-CF-000826-A-O

State of Florida,  
Plaintiff,  
vs.

MARKEITH DEMANGZLO LOYD  
Defendant.

Date of birth: 10/08/1975

## **ORDER DECLARING DEFENDANT INDIGENT AND APPOINTING PUBLIC DEFENDER**

After being satisfied of the good faith and truth of the foregoing Affidavit of Insolvency and considering the legal standards set out in F.S. 27.52, I hereby adjudge the above defendant to be indigent.

The Public Defender, 435 N. Orange Avenue, Suite 400, Orlando, Florida 32801 (407) 836-4800 is hereby appointed as Standby counsel for the defendant in the above-styled causes.

If the defendant is not in jail, the defendant shall phone the attorney's office within three (3) working days for an appointment, if one has not already been set.

If the defendant is in jail, a representative from the attorney's office shall visit the defendant within a reasonable time.

DONE, ORDERED, AND FILED in Open Court  
in Orange County, Florida on March 1, 2017.

Honorable Judge:

  
Frederick J. Lauten

Deputy Clerk in Attendance: Maria F., Theresa L.,  
Office of Tiffany M. Russell, Orange County Clerk of the Circuit and County Courts

Copies to: Public Defender, State Attorney , Defendant : MARKEITH DEMANGZLO LOYD

# APPENDIX B

IN THE Circuit COURT IN AND  
FOR ORANGE COUNTY, FLORIDA

CASE NO. 2017CF826 A/0

STATE OF FLORIDA,  
Plaintiff,

Loyd, Markith Q.  
-vs-  
Defendant,

## AFFIDAVIT OF INSOLVENCY FOR PURPOSE OF APPEAL

STATE OF FLORIDA  
COUNTY OF ORANGE

Personally appeared before me, the above named Defendant, \_\_\_\_\_, who, being first duly sworn by me, deposes and says under oath that he/she is totally insolvent and utterly unable to pay the charges, costs or fees in this cause, either in whole or part; that he/she has no property or other means of payment, either in his/her possession or under his/her control that he/she has not divested himself/herself of any property, either real or personal, for the purpose of receiving benefit from this oath; that he/she, at this time, is wholly without funds and, unless this court makes and enters an order adjudging this Defendant insolvent for purposes of appeal, he/she will be deprived of his/her rights under the law. This Affiant offers himself/herself up to the court now or at such future time as the court may see fit for the purpose of further examination into his/her insolvency.

Affiant further says that he/she has been informed that a lien for the value of the services rendered by the Public Defender/Court Appointed Counsel may be filed and impressed by law on any property he/she now has, or may hereafter have; and that Affiant has further been informed that, before any such lien is filed and impressed, he/she will be provided with a notice of hearing for purposes of being heard as to any such lien.

Markith Loyd UCC 1-201  
Signature of Affiant

Sworn to and subscribed before me this  
3 day of March 2022  
TIFFANY M. RUSSELL, Clerk of the Court

By Christopher J. Stevens  
Deputy Clerk

## ORDER

Based on the foregoing Affidavit, the above-named Defendant is hereby adjudged insolvent for purposes of appeal and the Public Defender of the Ninth Judicial Circuit/Court Appointed Counsel, \_\_\_\_\_, is hereby appointed as counsel to represent the Defendant in the appeal in the above-styled cause.

DONE AND ADJUDGED in Orange County Courthouse in Orlando, Florida, this 3 <sup>nd</sup> day of  
March, 2022.

Judge Signature  
JUDGE OF THE COURT

cc: Public Defender/Court Appointed Counsel  
32-47 (07/15)