

CASE NO. _____ (CAPITAL CASE)

IN THE
Supreme Court of the United States

CLARENCE MACK, Petitioner,

v.

MARGARET BRADSHAW, Warden, Respondent.

On Petition for a Writ of Certiorari to
the United States Court of Appeals
for the Sixth Circuit

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

(CAPITAL CASE: NO EXECUTION DATE SET)

Timothy F. Sweeney (OH 0040027)*
MEMBER OF THE BAR OF THIS COURT
LAW OFFICE OF TIMOTHY FARRELL SWEENEY
The 820 Building, Suite 430
820 West Superior Avenue
Cleveland, Ohio 44113-1800
(216) 241-5003
tim@timsweeneylaw.com
*COUNSEL OF RECORD

John B. Gibbons (OH 0027294)
Attorney at Law
55 Public Square, Suite 2100
Cleveland, Ohio 44114
(216) 363-6086
jgibbons4@sbcglobal.net

Counsel for Petitioner Clarence Mack

PETITIONER'S MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

Petitioner Clarence Mack, through his undersigned CJA-appointed counsel, respectfully requests leave to file his Petition for Writ of Certiorari to the United States Court of Appeals for the Sixth Circuit without the pre-payment of costs or fees and to proceed *in forma pauperis* pursuant to Rule 39.1 of the Supreme Court Rules.

This is a death penalty case in which the Petitioner is seeking a writ of habeas corpus under 28 U.S.C. § 2254. By orders dated June 23, 2004 and August 13, 2004, the undersigned attorneys were appointed by the United States District Court for the Northern District of Ohio, under the Criminal Justice Act, 18 U.S.C. §3006A, to represent the indigent Petitioner in his habeas corpus proceedings. Counsels' appointment was continued in the U.S. Court of Appeals for the Sixth Circuit in the appeal below by order dated June 13, 2022. The undersigned counsel has so represented Petitioner throughout these proceedings, both before the district court and before the Sixth Circuit. Accordingly, pursuant to Rule 39.1 of this Court, an affidavit of the Petitioner's indigency is not required.

For all of these reasons, and in the interest of justice, Petitioner respectfully requests that his motion for leave to proceed *in forma pauperis* be granted.

Respectfully Submitted,

/s/ Timothy F. Sweeney

Timothy F. Sweeney (OH 0040027)*
MEMBER OF THE BAR OF THIS COURT
LAW OFFICE OF TIMOTHY FARRELL SWEENEY
The 820 Building, Suite 430
820 West Superior Ave.

Cleveland, Ohio 44113-1800
Phone: (216) 241-5003
Email: tim@timsweeneylaw.com

/s/ John B. Gibbons

John B. Gibbons (OH 0027294)
Attorney at Law
55 Public Square, Suite 2100
Cleveland, Ohio 44114
Phone: (216) 363-6086
Email: jgibbons4@sbcglobal.net

***COUNSEL OF RECORD**

Counsel for Petitioner Clarence Mack