

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Kyle T. Flack — PETITIONER
(Your Name)

VS.

State of Kansas — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

District Court of Franklin County, Kansas

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☒ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: _____
_____, or

☒ a copy of the order of appointment is appended.

Clayton J. Kono
(Signature)

APPELLATE CASES
ORDER APPOINTING COUNSEL

Filed
Clerk of Dist Court
Franklin, County, KS

Franklin

COUNTY DISTRICT COURT

TITLE OF CASE:

2016 MAY 18 AM 10:08

STATE OF KANSAS

CASE NO: 13 CR 104

vs.

List one only

KYLE TREVOR FLACK

Having been convicted of a felony, to wit: (list felony convictions only)

Capital Murder (an off-grid person felony in violation of K.S.A. 21-5401(a)(6)); 1st Degree Premeditated Murder (off-grid person felony in violation of K.S.A. 21-5402(a); 2nd degree Intentional Murder (a level 1 person felony in violation of K.S.A. 21-5403(a); and Criminal Possession of a Firearm (a level 8 nonperson felony in violation of K.S.A. 21-6304(a)(1))

(List felony statute and felony severity level)

and having been determined an indigent in accordance with K.S.A. 22-4501et seq., the person named above is entitled to appointment of counsel. It is therefore ordered that:

is hereby appointed to represent the above-named person as follows:

Sarah Johnson and Meryl Carver-Allmond
Capital Appeals Office
700 SW Jackson Street, Suite 900
Topeka, KS 66603.

Check one only:

- X Direct appeal from felony conviction and/or sentence.
K.S.A.60-1507 appeal
- G Habeas Corpus pursuant to K.S.A. 22-2710, K.S.A. 22-3428 or K.S.A. 59-2917
- G Appeal pursuant to K.S.A. 1997 supp. 38-1681(b)
- G Appeal on question reserved by prosecution pursuant to K.S.A. 22-3602(b)(3)
- G Other (please specify and attach copy of complaint/petition)___

It is further ordered that upon completion of the record of appeal the Clerk of the District Court shall provide such record to the Appellate Defenders Office, 700 SW Jackson, STE 900, Topeka, KS 66603-3714.

BY ORDER OF THE COURT this 18th day of May, 2016.

Judge of the District Court

Note: The Appellate Defender shall be appointed in all indigent felony appeals and appeals taken pursuant to K.S.A. 1997 Supp. 22-4506(c) and K.S.A. 1997 Supp. 38-1681 in which the defendant has been determined to be indigent. Refer to K.A.R. 105-1-1, et seq., for procedures and standards of compensation for assigned counsel.

Original -To Court File -

Copy -To State Board of Indigents@ Defense Services immediately
copy -To Appellate Defender or assigned counsel attorney
copy - To County Attorney

Board of Indigents Defense Services
714 S.W. Jackson, Suite 200
Topeka, KS 66603-3714
785-296-4505 FAX 785-291-3082

(Make additional copies as needed)

Revised 05/22/07

STATE OF KANSAS, FRANKLIN COUNTY, ss:
I certify that this is a true and correct copy of the
original as appears of record in my office.
Date June 1, 2016

Clerk of the District Court

By: _____ Deputy

Doc # 680