

Exhibit A

Affidavit in Support of Motion  
to Proceed *In Forma Pauperis*

Colleen K. Coebergh  
Affiant

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IN THE SUPREME COURT OF THE UNITED STATES

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STATE OF UTAH  
v.  
DOUGLAS A. LOVELL

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AFFIDAVIT IN SUPPORT OF MOTION  
TO PROCEED *IN FORMA PAUPERIS*

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STATE OF UTAH                    )  
  :ss.  
COUNTY OF SALT LAKE    )

I, Colleen K. Coebergh, being first duly sworn, depose and say:

1. I am over 18 years of age and a resident of the State of Utah and all statement made in this affidavit are based on my personal knowledge or belief;
2. I a member in good standing of the bar of the States of Utah and Wyoming.
3. In October, 2017, I was appointed by Michael D. DiReda, of the Second Judicial District Court, to represent Douglas A. Lovell, in *State of Utah v. Douglas A. Lovell*, Docket Number 921900407.
4. That appointment was based on Mr. Lovell's indigency, and for purposes of your affiant to represent Mr. Lovell on direct appeal into the Utah Supreme Court.
5. The Appeal was assigned case number 20150632, and required significant effort not only in the Utah Supreme Court, but also included a remand to the trial court for taking of evidence related to claims of ineffective assistance of counsel.
6. That evidentiary hearing was conducted from August of 2019 to October 2019.

7. Following evidence taking, your affiant continued to provide legal services to Mr. Lovell pursuant to that Order of Appointment, which were all billed to and paid for by Weber County, Utah, the County that had prosecuted Mr. Lovell in 2015, which resulted in a sentence of death.
8. Following briefing, oral argument occurred in the Utah Supreme Court, February 9<sup>th</sup>, 2024.
9. On July 25<sup>th</sup>, 2024, the Utah Supreme Court issued a decision essentially affirming the conviction, but reversing and remanding the sentence for a new sentencing phase for Mr. Lovell. *State of Utah v. Lovell*, WL 3530117.
10. Rather than to provide the Court's mandate and remittitur to be effectuated, Counsel for the State of Utah requested the remittitur be called back, and filed an application for writ of certiorari in this Court.
11. The matter before this Court has been assigned the docket number 24-581.
12. Undersigned made clear to the attorney who presently oversees both Weber County employee and contract employee counsel for indigents that she is not admitted to the United State Supreme Court.
13. Notwithstanding, your affiant has been tasked with working toward responding to the State of Utah's petition for writ of certiorari.
14. While there is not a separate contract for the continued appellate work which it now before the United State Supreme Court, Mr. Lovell remains indigent, remains in prison, where he has been since 1985, and undersigned has been assured that due to Mr. Lovell's indigency, and the County's legal responsibility to pay for his defense, undersigned will be compensated by the County.

15. Based on the foregoing, Mr. Lovell is indigent, continues to qualify as a filer *in forma pauperis*.

Further, your affiant sayeth naught.

Respectfully submitted this 23<sup>rd</sup> day of December, 2024.

  
Colleen K. Coebergh

STATE OF UTAH                    )  
  :SS  
COUNTY OF SALT LAKE    )

On the 23 day of December, 2024, Colleen K. Coebergh personally appeared before me whose identity has been proven on the basis of satisfactory evidence, being first duly sworn under penalty of perjury, acknowledges that she executed the foregoing instrument, for the purposes stated therein, of her own voluntary act.

  
Notary Public

