

No. _____

In the Supreme Court of the United States

LAUREN IRENE GANNON,
Petitioner

vs.

THE STATE OF TEXAS,
Respondent

On Petition for a Writ of Certiorari to the
Sixth Court of Appeals at Texarkana, Texas

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

Petitioner LAUREN IRENE GANNON asks leave to file the attached petition for a writ of certiorari without prepayment of costs, and to proceed *in forma pauperis*. Petitioner Gannon is currently incarcerated at the Texas Department of Criminal Justice - Institutional Division's Hobby Unit in Marlin, Texas, serving her 20 years sentence which is the subject of the certiorari petition. Petitioner was found indigent by the state trial court, and this writer was appointed to represent Petitioner in her direct appeal to the Sixth Court of Appeals of Texas. A copy of the appointment order is attached. Petitioner

Gannon's Affidavit or Declaration in Support of Motion for Leave to Proceed

In Forma Pauperis, hereinafter “Gannon’s Affidavit,” is also attached.

Texas law does not authorize a court-appointed attorney to prepare a petition for discretionary review to the Court of Criminal Appeals of Texas, or for filing a petition for a writ of certiorari in this Court. Texas criminal defendants either have to file those documents *pro se*, or hire an attorney to file those documents. This writer received a reduced fee of \$500 to file Petitioner’s petition for discretionary review, and \$500 to file the attached certiorari petition, with both of those fees paid by Petitioner’s mother. (Ms. Gannon’s Affidavit states that \$500 was paid for filing this certiorari petition, without stating that it was her mother who paid this fee). Petitioner was not assessed any appellate court costs, because there is no filing fee in the Court of Criminal Appeals of Texas for filing a petition for discretionary review, and no court costs were imposed in the Sixth Court of Appeals of Texas since Petitioner was indigent.

Because Petitioner LAUREN IRENE GANNON, who is currently incarcerated, was found to be indigent for purposes of appeal by the state trial court, she was represented by this writer in her direct appeal by court appointment, and Petitioner’s mother paid a reduced fee to this writer both to

seek discretionary review in the Court of Criminal Appeals of Texas, and to file the attached petition for a writ of certiorari, Petitioner respectfully asks for leave to proceed in this Court *in forma pauperis*.

Respectfully submitted,

/s/ Gregory Sherwood

Gregory Sherwood
Attorney

P.O. Box 200613
Austin, Texas 78720-0613
(512) 484-9029

Texas Bar # 18254600

emails: gsherwood@mail.com and gregsherwood4@gmail.com

Counsel of Record for
Petitioner Lauren Irene Gannon

Date E-Filed: October 28, 2024

FILED
4-20 M

JUN 02 2023

LINDA BALK
Clerk, Dist. Court, Guadalupe Co. Tx.
By _____ Deputy

ORDER APPOINTING ATTORNEY

IN THE DISTRICT COURT OF GUADALUPE COUNTY, TEXAS

STATE OF TEXAS
VS
LAUREN IRENE
GANNON

§ CHARGE: POSS CS PG 1 >1G<4G
§
§ CAUSE NO: 20-2172-CR-C
§

On this 2nd day of June, 2023 the Court hereby appoints:

GREG SHERWOOD
P.O. BOX 200613
AUSTIN, TX 78720
OFFICE 512-484-9029
EMAIL - GREGSHERWOOD4@GMAIL.COM

Who is a practicing attorney of this Court, to represent the Defendant in the appeal in this cause.

Heather H. Wiss
Judge Presiding

**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Lauren Gannon, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and ~~your~~ spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Self-employment	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Interest and dividends	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Gifts	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Alimony	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Child Support	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Unemployment payments	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Total monthly income:	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
Haven for Hope	1 Haven for Hope Way San Antonio, TX 78201	Prior to incarceration Nov 2022 - Apr 2023	\$ 3,200 \$ \$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
n/a			\$ 0 \$ \$

4. How much cash do you and your spouse have? \$ 0
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
n/a	\$ 0	\$ 0
	\$ 0	\$ 0
	\$ 0	\$ 0

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home
Value 0

Other real estate
Value 0

Motor Vehicle #1
Year, make & model _____
Value 0

Motor Vehicle #2
Year, make & model _____
Value 0

Other assets
Description _____
Value 0

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
none	\$ <u>Ø</u>	\$ <u>Ø</u>
	\$ _____	\$ _____
	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
none		

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>Ø</u>	\$ <u>n/a</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>Ø</u>	\$ <u>n/a</u>
Home maintenance (repairs and upkeep)	\$ <u>Ø</u>	\$ <u>n/a</u>
Food	\$ <u>Ø</u>	\$ <u>n/a</u>
Clothing	\$ <u>Ø</u>	\$ <u>n/a</u>
Laundry and dry-cleaning	\$ <u>Ø</u>	\$ <u>n/a</u>
Medical and dental expenses	\$ <u>Ø</u>	\$ <u>n/a</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>Ø</u>	\$ <u>n/a</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>Ø</u>	\$ <u>n/a</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>Ø</u>	\$ <u>n/a</u>
Life	\$ <u>Ø</u>	\$ <u>n/a</u>
Health	\$ <u>Ø</u>	\$ <u>n/a</u>
Motor Vehicle	\$ <u>Ø</u>	\$ <u>n/a</u>
Other: _____	\$ <u>Ø</u>	\$ <u>n/a</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>Ø</u>	\$ <u>n/a</u>
Installment payments		
Motor Vehicle	\$ <u>Ø</u>	\$ <u>n/a</u>
Credit card(s)	\$ <u>Ø</u>	\$ <u>n/a</u>
Department store(s)	\$ <u>Ø</u>	\$ <u>n/a</u>
Other: _____	\$ <u>Ø</u>	\$ <u>n/a</u>
Alimony, maintenance, and support paid to others	\$ <u>Ø</u>	\$ <u>n/a</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>Ø</u>	\$ <u>n/a</u>
Other (specify): _____	\$ <u>Ø</u>	\$ <u>n/a</u>
Total monthly expenses:	\$ <u>Ø</u>	\$ <u>Ø</u>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? Yes No

If yes, how much? \$500

If yes, state the attorney's name, address, and telephone number:

Mr. Gregory Sherwood, Attorney
P.O. Box 200613
Austin, TX 78720-0613
(512)484-9029

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes No

If yes, how much? 0

If yes, state the person's name, address, and telephone number:

n/a

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I am currently incarcerated in the Texas Department of Criminal Justice (TDCJ). I have no income.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 31, 2024

Laurin Gannon
(Signature)

Laurin Gannon