

24-5974
Case No. 24A355

ORIGINAL

CAPITAL CASE

IN THE SUPREME COURT OF THE UNITED STATES

STATE OF MISSISSIPPI,
Respondent.

v.
JAMES COBB HUTTO,
Petitioner.

FILED
NOV 05 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

MOTION TO PROCEED IN FORMA PAUPERIS

Petitioner, James Cobb Hutto, requests leave to file the accompanying Petition for Writ of Certiorari to the Supreme Court of Mississippi without prepayment of costs and to proceed *in forma pauperis*. In the court below, petitioner was represented by undersigned counsel who was appointed by a Mississippi Circuit Court Judge, pursuant to *Miss. Code Ann. §99-15-15* (Rev. 2007).

Respectfully submitted,

/s/ Elizabeth Franklin-Best
Counsel of Record

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**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT**

STATE OF MISSISSIPPI

v.

CAUSE NO. 25CI2:11-cr-05005-EFP

JAMES COBB HUTTO, III

Petitioner/Defendant

ORDER

This matter came before the Court on the Motion of the Petitioner/Defendant, James Cobb Hutto, III, ("Defendant") to admit Elizabeth Anne Franklin-Best, *pro hac vice*, as counsel for Defendant and on the Motion for Appointment of Counsel for Representation for Successive Petition for Post-Conviction Relief. The Court has reviewed the motions, the Clerk's *Pro Hac Vice* Statement, and heard testimony from the Defendant at the Court's virtual hearing on August 3, 2022, and is of the opinion that both motions are well taken and should be granted.

IT IS HEREBY ORDERED AND ADJUDGED that Elizabeth Anne Franklin-Best be admitted *pro hac vice* as counsel for the Petitioner/Defendant, James Cobb Hutto, III, in the above-styled and numbered cause, and that both Elizabeth Anne Franklin-Best and Caroline K. Ivanov are appointed as counsel for the Defendant for the purpose of investigating and presenting his meritorious post-conviction claims.

IT IS FURTHER ORDERED AND ADJUDGED that in conjunction with the Mississippi Supreme Court's order of 05/25/2022, the Mississippi Bar's fee of \$300.00 and this Court's filing fee are both hereby waived.

SO ORDERED this the 8 day of August, 2022.



CIRCUIT COURT JUDGE