

IN THE SUPREME COURT OF THE UNITED STATES

NO. 17-681

ROBERT GILMORE, Superintendent, State Correctional Institution
at Greene, et al.,

Petitioners,

v.

SALEEM BEY,

Respondent.

**SALEEM BEY'S MOTION TO PROCEED
*IN FORMA PAUPERIS***

Saleem Bey is a prisoner in the custody of the Commonwealth of Pennsylvania. He is the Respondent above. He moves pursuant to the Rule 39 for permission to proceed as a poor person in his opposition to the *Petition for Writ of Certiorari*, and in support states the following.

Mr. Bey was the habeas petitioner in the United States District Court for the Eastern District of Pennsylvania. He was denied relief in that Court. He was the Appellant in the United States Court of Appeals for the Third Circuit, and he was awarded habeas corpus relief in those proceedings.

Mr. Bey is indigent, having been continuously incarcerated since his 2001 arrest in the matter that was the subject of the habeas corpus proceedings. His family

retained undersigned counsel to represent him in the District Court and in the Court of Appeals. However, Mr. Bey's family was not able to pay counsel's complete and agreed upon fee for the representation in the Court of Appeals. His family was also not able to pay counsel for representation in the proceedings in this Court. Accordingly, the undersigned is representing Mr. Bey *pro bono*, in these certiorari proceedings.

Counsel has provided to Mr. Bey a copy of the Court's required affidavit and has requested that he complete it and return it to counsel. However, as of the date of the filing of this *Motion*, and Bey's *Brief in Opposition to the Petition for Writ of Certiorari*, the form has not yet been returned to counsel. Counsel will file a copy of the form upon receipt, as a supplement to this *Motion*.

WHEREFORE, counsel requests that the Court conditionally permit Mr. Bey to proceed *in forma pauperis* pending receipt of the form.

Respectfully Submitted,

/s/ Michael Wiseman

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Swarthmore, PA