

No. _____

IN THE
Supreme Court of the United States

In re William Earl Rayford,
Petitioner

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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Petitioner William Rayford*

January 26, 2018

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MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner asks for leave to file the attached petition for a writ of habeas corpus without prepayment of fees and to proceed *in forma pauperis*.

Petitioner is currently incarcerated at the Texas Department of Criminal Justice's Polunsky Unit in Livingston, Texas. He has previously sought and been granted leave to proceed *in forma pauperis* in the following courts:

- the United States Court of Appeals for the Fifth Circuit; and
- the United States District Court for the Northern District of Texas.

Petitioner's affidavit or declaration of indigency is not attached because the court below appointed counsel in the current proceeding, pursuant to 18 U.S.C. § 3599. A copy of the appointment order is appended.

Respectfully submitted,

/s/ Nadia Wood

Nadia Wood (Sup. Ct. Bar # 291584)

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

WILLIAM EARL RAYFORD,	§	
	§	
Petitioner,	§	
	§	
v.	§	
	§	NO. 3:06-CV-0978-B
LORIE DAVIS, Director	§	
Texas Department of Criminal Justice,	§	(Death Penalty Case)
Correctional Institutions Division	§	
	§	
Respondent.	§	

ORDER APPOINTING CO-COUNSEL

William Earl Rayford has filed an opposed motion for the appointment of co-counsel. Motion, doc. 103. Respondent Lorie Davis has filed her response in opposition. Resp., doc. 105. Rayford has filed his reply. Reply, doc. 106. Because the appointment of co-counsel is support by the appointing statute and the Guide, and the motion states that the proposed co-counsel is willing and able to assist as co-counsel, the motion is granted.¹

Having reviewed the motion and application, the Court previously found that Petitioner is entitled to proceed in forma pauperis and to the appointment of counsel by the provisions of 21 U.S.C. § 848(q)(4)(B) (current version at 18 U.S.C. § 3599(a)(2)). See Order, doc. 10 (citing *McFarland v. Scott*, 512 U.S. 849, 855-58 (1994)); Order, doc. 13. The Court previously appointed **Bruce Anton** as lead counsel for Rayford. See Order, doc. 48. The Court further finds that **the Capital Habeas Unit of the office of the Federal Public Defender for the Northern District of**

¹ Because the motion is granted, it is unnecessary to address Rayford's argument in his reply that Respondent lacks standing to participate in this issue. See Reply at 2-4.

Texas is qualified and willing to be appointed as co-counsel to assist lead counsel in the representation of the petitioner in these proceedings in accordance with 18 U.S.C. § 3599(d).

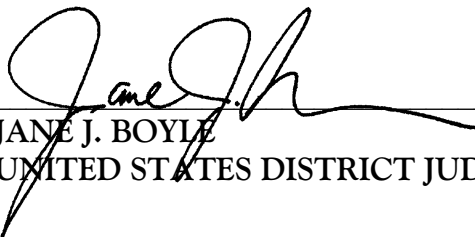
Petitioner's motion for appointment of co-counsel (doc. 103) is **GRANTED** and, in accordance with Guide § 440, the Capital Habeas Unit of the office of the Federal Public Defender for the Northern District of Texas is appointed as co-counsel to assist lead counsel in this cause. A copy of this order shall be provided to appointed counsel at the following address:

LEAD COUNSEL Bruce Anton
 Sorrels Udashen & Anton
 2311 Cedar Springs Road, Suite 250
 Dallas, TX 75201
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 Email: ba@ualawfirm.com

CO-COUNSEL Capital Habeas Unit
 Federal Public Defender for the Northern District of Texas
 525 S. Griffin St., Suite 629
 Dallas, TX 75202
 Phone: (214) 767-2746

IT IS SO ORDERED.

DATE: November 20th , 2017.



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE