

No. \_\_\_\_\_

---

---

In the  
Supreme Court of the United States

---

OBEL CRUZ-GARCIA,  
*Petitioner,*

v.

TEXAS,  
*Respondent.*

---

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

---

The petitioner, Obel Cruz-Garcia, seeks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in forma pauperis.

Mr. Cruz-Garcia, currently incarcerated on Texas's death row, is represented by the Office of Capital and Forensic Writs, a state public defender agency charged with representing indigent individuals in state post-conviction proceedings. In 2011, the 337<sup>th</sup> District Court of Harris County, Texas, found that Mr. Cruz-Garcia was indigent, and he was given court-appointed counsel. Thereafter, the Office of Capital and Forensic Writs was appointed to represent Mr. Cruz-Garcia in state post-conviction proceedings pursuant to Texas Code of Criminal Procedure, Article 11.071, Section 2. Mr. Cruz-Garcia has been granted leave to proceed in forma pauperis during the entire history of this state post-conviction matter, including in proceedings below before the Texas Court of Criminal Appeals.

Wherefore, Mr. Cruz-Garcia moves this Court for leave to file the attached petition for writ of certiorari in forma pauperis.

*/s/ Jennae R. Swiergula*  
*Counsel of Record for the Petitioner*