

Capital Case

Case No. _____

October Term, 2017

IN THE SUPREME COURT OF THE UNITED STATES

**PERCY HUTTON,
PETITIONER,**

v.

**TIM SHOOP, Warden,
RESPONDENT.**

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner, Percy Hutton, through undersigned counsel, respectfully requests leave to file his Petition for Writ of Certiorari to the Sixth Circuit Court of Appeals without prepayment of costs or fees and to proceed *in forma pauperis* pursuant to Rule 39. Hutton has proceeded *in forma pauperis* status since his arrest by the State of Ohio. Counsel for Hutton were appointed pursuant to 18 U.S.C. § 3599 to represent Hutton in federal habeas proceedings.

Respectfully Submitted,

/s/ Michael J. Benza

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