

CAPITAL CASE

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

IN RE PERVIS TYRONE PAYNE,

Petitioner

ON PETITION FOR REVIEW
OF COURT OF APPEALS ORDER ENTERED PURSUANT
TO 28 U.S.C. §2244 AND/OR FOR WRIT OF MANDAMUS

MOTION TO PROCEED *IN FORMA PAUPERIS*

Petitioner Pervis Tyrone Payne respectfully moves this Court to proceed *in forma pauperis*. He is indigent, was been found indigent by the lower courts, and in federal habeas proceedings was appointed counsel pursuant to 18 U.S.C. §3599, formerly 21 U.S.C. §848. The motion should be granted.

Respectfully Submitted,

Paul R. Bottei *
Christopher M. Minton

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By: /s/ *Paul R. Bottei*

*Counsel of Record

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing motion to proceed *in forma pauperis* was served via first-class mail upon John Bledsoe, Esq., Office of the Attorney General, P. O. Box 20207, Nashville, Tennessee 37202 this 8th day of May, 2018.

/s/ *Paul R. Bottei*