

No. _____

IN THE

Supreme Court of the United States

MANUEL GARDNER,
Petitioner,

v.

STATE OF NEW MEXICO,
Respondent.

MOTION FOR LEAVE TO PROCEED *INFORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in *forma pauperis*.

Petitioner has previously been granted leave to proceed *informa pauperis* in the Supreme Court of New Mexico.

A copy of the order appointing the New Mexico Public Defender Department to represent Mr. Gardner is attached.

Respectfully submitted,



J.K. Theodosia Johnson

Attorney of Record
Assistant Appellate Attorney
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May 30, 2018

Second JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF BERNALILLO

STATE OF NEW MEXICO
Plaintiff.

v.

District Court No. D-202-*CR-2013-04043*

MANUEL GARDNER,
Defendant.

ORDER OF APPOINTMENT OF APPELLATE COUNSEL

THIS MATTER having come before the Court upon the motion of the defendant, to appoint the Appellate Division of the Public Defender Department, to serve as appellate counsel for the defendant, **MANUEL GARDNER**, and it appearing to the Court that the defendant is indigent;

IT IS THEREFORE ORDERED that the Appellate Division of the Public Defender Department be and hereby is appointed as appellate counsel for the defendant, **MANUEL GARDNER**.


District Court Judge

RP0194

I hereby certify that a true and correct copy of the foregoing Order of
Appointment was mailed to each of the following parties on the 5th day of July,
2016.

Kari Brandenburg
Second Judicial District Attorney
c/o Ms. Letitia Carroll Simms
200 Lomas NW
Albuquerque, NM 87103

Appellate Division, State Public Defender Department
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Santa Fe, NM 87501

Appellate Division, Office of the Attorney General
P.O. Drawer 1508
Santa Fe, NM 87504


Armando Torres

RP0195