

No. _____

IN THE

Supreme Court of the United States

GLEN RAY MAXWELL, PETITIONER

VS.

THE STATE OF CALIFORNIA, RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI
TO THE CALIFORNIA COURT OF APPEAL
SIXTH APPELLATE DISTRICT

**MOTION FOR LEAVE TO
PROCEED *IN FORMA PAUPERIS***

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Counsel for Petitioner

TO THE HONORABLE CHIEF JUSTICE OF THE SUPREME COURT OF THE UNITED STATES, AND THE HONORABLE ASSOCIATE JUSTICES OF THE COURT:

Pursuant to Rule 39 of the Rules of the Supreme Court of the United States, petitioner, GLEN RAY MAXWELL, respectfully requests leave to file a petition for writ of certiorari *in forma pauperis*. In making this application, petitioner notes that he was represented by the undersigned, court-appointed counsel in both the California Court of Appeal and California Supreme Court, and that this attorney is continuing to represent him *pro bono* in this Court.

The facts in support of this application are memorialized in the attached declaration of counsel, and in petitioner's own declaration, which is attached hereto.

Dated: April 1, 2018

Respectfully submitted,



FREDERICK M. SCHNIDER
California State Bar #129201
Attorney for Petitioner Glen Ray Maxwell

DECLARATION OF FREDERICK M. SCHNIDER

I am an attorney licensed to practice in California. I have been a member in good standing of the United States Supreme Court Bar since June 5, 2006, and I am attorney of record for petitioner, GLEN RAY MAXWELL, in this case. I have agreed to represent Mr. Maxwell *pro bono* in this Court. The facts stated in this declaration are within my personal and firsthand knowledge:

Petitioner is out of custody. He was released from his eight year prison sentence in this case in October of 2017, but remains on parole supervision and is subject to reimprisonment if he violates the conditions of his parole. He is presently seeking employment and a stable residence in San Jose, California.

On November 25, 2014, I was appointed by the California Court of Appeal for the Sixth Appellate District to represent petitioner, in association with the Sixth District Appellate Program. I have remained petitioner's counsel of record since that date, through the direct appeal in the Sixth District and petition for review in the California Supreme Court. Petitioner provided all of the information set forth in the affidavit of indigency which is attached hereto.

I declare the foregoing to be true and correct under penalty of perjury according to the laws of the United States of America.

Executed this 1st day of April, 2018, at Berkeley, California.



Frederick M. Schnider
Attorney for Petitioner Glen Maxwell