

No. 18-404

**IN THE SUPREME COURT OF THE UNITED STATES**

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THE COLORADO INDEPENDENT, PETITIONER,

vs.

DISTRICT COURT FOR THE EIGHTEENTH  
JUDICIAL DISTRICT OF COLORADO, RESPONDENT.

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ON PETITION FOR WRIT OF CERTIORARI TO THE  
COLORADO SUPREME COURT

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

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Attorneys for Respondent Sir Mario Owens:

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Respondent Sir Mario Owens, through undersigned counsel and pursuant to Supreme Court Rule 39(1), respectfully asks for leave to file the attached Response in Support of Petitioner, without prepayment of fees or costs and to proceed *in forma pauperis*.

1. Respondent Owens has previously been granted leave to proceed *in forma pauperis* in the following courts:

- The District Court of Arapahoe County, Colorado;
- The Colorado Court of Appeals;
- The Colorado Supreme Court.
- The United States Supreme Court

2. Undersigned counsel were appointed to represent Respondent Owens as “new postconviction counsel” pursuant to Colorado statutes that provide for appointment of counsel for indigent capital defendants. *See* § 16-12-201, C.R.S., et. seq.; § 16-12-203(1), C.R.S. Counsel are filing this motion and the attached Response in Support of Petitioner on Mr. Owens’ behalf. Mr. Owens remains incarcerated on Colorado’s death row at the Colorado State Penitentiary, in Canon City, Colorado.

Respectfully submitted this 29th day of October 2018.

/s/ Jonathan D. Reppucci

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James A. Castle,  
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Jennifer L. Gedde  
C. Keith Pope

Attorneys for Petitioner Sir Mario Owens