

No. _____

IN THE
Supreme Court of the United States

ERICA YVONNE SHEPPARD,

Petitioner,

v.

LORIE DAVIS, DIRECTOR,
TEXAS DEPARTMENT OF CRIMINAL JUSTICE,
CORRECTIONAL INSTITUTIONS DIVISION,

Respondent.

**On Petition for Writ of Certiorari to the
United States Court of Appeals for the Fifth Circuit**

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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Counsel for Petitioner

December 21, 2020

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Pursuant to Rule 39 of the Rules of the Supreme Court of the United States, Petitioner, Erica Yvonne Sheppard, asks leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit without payment of costs and to proceed *in forma pauperis*, and in support of the request states:

1. The Petition for Certiorari in the form prescribed by Rule 14 of the Rules of this Court, with Appendix attached, is submitted for filing along with this Motion.

2. Petitioner has previously been granted leave to proceed *in forma pauperis* in the following courts:

The State Courts of Texas

The United States District Court for the Southern District of Texas (No. 4:14-cv-00655)

The United States Court of Appeals for the Fifth Circuit (No. 18-70011)

3. Petitioner was determined to be indigent by the United States District Court for the Southern District of Texas and counsel was appointed to represent Petitioner *pro bono* on March 24, 2014 pursuant to 18 U.S.C. § 3599(a)(2). A copy of the order of appointment is appended.

4. Petitioner's affidavit or declaration is not attached because the court below appointed counsel in the current proceeding.

Respectfully submitted,

/s/ W. Alan Wright

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Attorneys for Petitioner

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ERICA YVONNE SHEPPARD,	§	
Petitioner,	§	
	§	
v.	§	H-14-CV-655
	§	
BRAD LIVINGSTON, Director, Texas	§	
Department of Criminal Justice,	§	
Respondent.	§	

ORDER GRANTING PETITIONER'S MOTIONS TO PROCEED *IN FORMA*
***PAUPERIS* AND FOR APPOINTMENT OF COUNSEL**

Petitioner Erica Yvonne Sheppard is a death row inmate, currently in the custody of the Texas Department of Criminal Justice. She has filed motions for leave to proceed *in forma pauperis* and for the appointment of counsel to assist her in filing a petition for a writ of habeas corpus.

Title 18 U.S.C. § 3599(a)(2) provides for appointment of counsel in a habeas corpus proceeding when the petitioner is financially unable to obtain adequate representation on his own. Sheppard's is financially unable to obtain representation.

Accordingly, it is

ORDERED that Sheppard's Motions For Leave To Proceed *In Forma Pauperis* (Docket Entry 1 and 3) and for Appointment of *Pro Bono* Counsel (Docket Entry 2) are **GRANTED**; and it is further

ORDERED that W. Alan Wright, Esq. and the law firm of Crouch & Ramey, LLP, 2001 Ross Avenue, suite 4400, Dallas, TX 75201, are appointed to represent Sheppard *pro*

bono in this habeas corpus proceeding.

SO ORDERED

Signed Mar 24, 2014, at Houston, Texas.



Vanessa Gilmore
United States District Judge