

IN THE
Supreme Court of the United States

— ♦ —
WILLIE B. SMITH, III,

Petitioner,

v.

JEFFERSON DUNN, COMMISSIONER,
TERRY RAYBON, WARDEN

Respondents.

— ♦ —
On Petition for a Writ of Certiorari
to the Court of Appeals for the Eleventh Circuit

— ♦ —
MOTION TO PROCEED *IN FORMA PAUPERIS*

— ♦ —
EXECUTION SCHEDULED FOR OCTOBER 21, 2021

— ♦ —
/s/ John A. Palombi *

John A. Palombi

Spencer J. Hahn

Allyson duLac

ASSISTANT FEDERAL DEFENDERS

FEDERAL DEFENDERS FOR THE

MIDDLE DISTRICT OF ALABAMA

817 South Court Street

Montgomery, Alabama 36104

(334) 834-2099

**Counsel of Record*

Petitioner, Willie B. Smith III, an indigent Alabama prisoner, respectfully requests that this Court grant him leave to proceed *in forma pauperis*, without prepayment of costs or fees.

In support, Mr. Smith states:

1. Mr. Smith is in custody at Holman Correctional Facility and is scheduled to be executed on October 21, 2021.

2. Mr. Smith was granted leave to proceed *in forma pauperis* in the courts below.

3. Mr. Smith's financial circumstances have not materially changed since the lower courts have permitted him to proceed *in forma pauperis*.

4. Mr. Smith has no income and owns no real estate, stocks, bonds, notes, automobiles, or other valuable property that would allow him to prepay the filing fee in this action.

For the reasons set forth above, Mr. Smith respectfully requests that this Court grant him *in forma pauperis* status.

Respectfully submitted,

/s/ John A. Palombi *

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