

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

TERRY LYNN KING,

Petitioner,

v.

TONY MAYS,

Respondent.

**PETITIONER'S MOTION FOR
LEAVE TO PROCEED *IN FORMA PAUPERIS***

Petitioner, Terry Lynn King, through counsel, respectfully moves for leave to proceed *in forma pauperis* and submits as follows:

1. This case is before the Court on a petition for writ of certiorari.
2. Terry Lynn King is a death sentenced prisoner in Tennessee.
3. On March 8, 2021, the United States Court of Appeals for the Sixth Circuit appointed counsel from the Federal Community Defender Office for the Eastern District of Pennsylvania to represent Petitioner in these proceedings because of a conflict with Petitioner's previous counsel, the Federal Defender Services of Eastern Tennessee. A copy of that order is attached.
4. The Sixth Circuit docket 13-6387 lists Petitioner's "Fee Status" as *in forma pauperis*. A copy of that docket is also attached.

5. Previously, on August 25, 1999, the United States District Court for the Eastern District of Tennessee at Knoxville found Petitioner to be *in forma pauperis* and appointed counsel. A copy of that order is attached.

6. Furthermore, on September 16, 1987, the Knox County trial court appointed Petitioner counsel for representation in his post-conviction proceedings. A copy of that order is attached.

7. Petitioner remains incarcerated today and there has been no change in his financial status. He is without funds to secure the services necessary to proceed in this Court (*e.g.*, printing fees, etc.) or to pay any fees.

8. Undersigned counsel affirms that all statements related above are true and correct.

WHEREFORE, Petitioner requests that this Court allow him to proceed *in forma pauperis*.

Respectfully submitted,

/s/ Shawn Nolan

Shawn Nolan*

Federal Community Defender Office
for the Eastern District of Pennsylvania
Suite 545 West – Curtis Building
601 Walnut Street
Philadelphia, PA 19106
(215) 928-0520
Counsel for Petitioner, Terry King

**Counsel of Record, Member of the Bar of the
Supreme Court*

Dated: January 11, 2023

Case No. 13-6387

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

ORDER

TERRY LYNN KING

Petitioner - Appellant

v.

TONY MAYS, Warden

Respondent - Appellee.

Upon consideration of counsel's motion to withdraw Dana Hansen Chavis as counsel of record and to appoint the Federal Community Defender Office for the Eastern District of Pennsylvania,

It is therefore **ORDERED** that the motion be and it hereby is **GRANTED**.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk



Issued: March 08, 2021

PACER fee: Exempt

If you view the **Full Docket** you will be charged for 12 Pages \$1.20**General Docket**
United States Court of Appeals for the Sixth Circuit**Court of Appeals Docket #:** 13-6387**Nature of Suit:** 3535 Habeas Corpus - Death Penalty

Terry King v. Tony Mays

Appeal From: Eastern District of Tennessee at Knoxville**Fee Status:** In Forma Pauperis**Docketed:** 10/24/2013**Termed:** 02/09/2017**Case Type Information:**

- 1) Death Penalty
- 2) State
- 3) Habeas Corpus

Originating Court Information:**District:** 0649-3 : 3:99-cv-00454**Court Reporter:** Donnetta Kocuba**Trial Judge:** Robert Leon Jordan, U.S. District Judge**Date Filed:** 08/25/1999**Date Order/Judgment:**

09/25/2013

Date NOA Filed:

10/24/2013

01/21/2022	<u>178</u>		NOTICE OF DOCKETING ERROR, ENTRY REMOVED. Name of Document: PETITION for en banc rehearing filed by Mr. Shawn Nolan for Terry Lynn King. Type of Error: motion for leave to file and motion to exceed the page limit pending. (BLH) [Entered: 01/24/2022 07:31 AM]
01/21/2022	<u>179</u>		TENDERED petition for en banc rehearing. Received from Attorney Mr. Shawn Nolan for Appellant Terry Lynn King. (BLH) [Entered: 01/24/2022 07:33 AM]
01/28/2022	<u>180</u>		RESPONSE in opposition filed regarding a petition, [98]; previously filed by Ms. Dana Hansen Chavis. Response from Attorney Mr. John H. Bledsoe for Appellee Tony Mays. Certificate of Service: 01/28/2022. [13-6387] (JHB) [Entered: 01/28/2022 11:37 AM]
01/31/2022	<u>181</u>		***LOCKED - not accepted as filed*** APPEARANCE filed for Appellee Tony Mays by Michael M. Stahl. Certificate of Service: 01/31/2022. [13-6387] COUNSEL kindly advised to refiled form - FORM NOT COMPLETED.--[Edited 01/31/2022 by PJE] (MMS) [Entered: 01/31/2022 04:28 PM]
01/31/2022	<u>182</u>		APPEARANCE filed for Appellee Tony Mays by Michael M. Stahl. Certificate of Service: 01/31/2022. [13-6387] (MMS) [Entered: 01/31/2022 05:44 PM]
01/31/2022	<u>183</u>		RESPONSE filed regarding a document, [179]; previously filed by Mr. Shawn Nolan for Terry Lynn King. Response from Attorney Mr. John H. Bledsoe for Appellee Tony Mays. Certificate of Service: 01/31/2022. [13-6387] (LOCKED; wrong PACER account used. Please refile using your own PACER account).--[Edited 02/01/2022 by BLH] (JHB) [Entered: 01/31/2022 06:10 PM]
02/01/2022	<u>184</u>		RESPONSE filed regarding a document, [179]; previously filed by Mr. Shawn Nolan for Terry Lynn King. Response from Attorney Mr. Michael Matthew Stahl for Appellee Tony Mays. Certificate of Service: 02/01/2022. [13-6387] (MMS) [Entered: 02/01/2022 11:19 AM]
08/15/2022	<u>185</u>		ORDER filed: Terry Lynn King moved for leave to file a consolidated petition for rehearing en banc, seeking review of our 2017 opinion affirming the district court's denial of habeas corpus and our January 7, 2022, order denying King's motion to remand. King's request for en banc review of our February 9, 2017, opinion is untimely. Accordingly, his motion for leave to file a consolidated petition is DENIED, not recommended for publication. Alice M. Batchelder, Karen Nelson Moore and Julia Smith Gibbons, Circuit Judges. [101], [177], [179] (PJE) [Entered: 08/15/2022 03:12 PM]
08/15/2022	<u>186</u>		ORDER filed: Terry Lynn King's petition for rehearing of our January 7, 2022, order denying King's motion to remand is before this panel for review. King's petition for rehearing of our February 9, 2017, opinion affirming the district court's denial of habeas relief is also before this panel. Upon review and consideration, the petition for panel rehearing of the January 7, 2022, order is DENIED. The petition for panel rehearing of the February 9, 2017, opinion is also DENIED, not recommended for publication. Alice M. Batchelder, Karen Nelson Moore and Julia Smith Gibbons, Circuit Judges. [97] [98]. (PJE) [Entered: 08/15/2022 03:38 PM]
08/23/2022	<u>187</u>		MANDATE ISSUED with no costs taxed. (PJE) [Entered: 08/23/2022 08:37 AM]

PACER Service Center			
Transaction Receipt			
01/11/2023 10:19:14			
PACER Login:	AFish19106	Client Code:	
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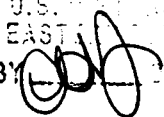
'99 AUG 30 AM 9 31

FEDERAL DEFENDER SERVICES
OF EASTERN TENNESSEE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

FILED

AUG 25 2 49 PM '99

U.S. DISTRICT COURT
EASTERN DISTRICT OF TENN.
BY  CLERK

TERRY LYNN KING,

Petitioner,

v.

3:99-cv-454

RICKY BELL, Warden,

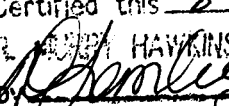
Respondent.

O R D E R

The Court is in receipt of a motion for stay of execution, an application for appointment of counsel, and an affidavit of indigency from an inmate on death row. The court will treat the affidavit of indigency as an application to proceed in forma pauperis, which is **GRANTED**. The Clerk is **DIRECTED** to file this action as of the date received, without prepayment of costs and fees or security therefore.

Petitioner's motion for stay of execution of a December 23, 1999, execution date is **GRANTED**. Petitioner's execution is **STAYED** pending further order of this court.

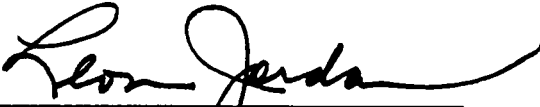
Petitioner's motion for appointment of counsel is **GRANTED**. This matter is hereby **REFERRED** to U.S. Magistrate Judge Thomas W. Phillips for appointment of counsel, for disposition of all non-dispositive motions, for scheduling of deadlines, for establishment of a litigation budget for payment of investigative, expert, and

ATTEST: A true copy
Certified this 8/25/99
By  HAWKINS, CLERK
Dep. Clerk

3

other reasonably necessary services, and for payment recommendation of attorney and other fees.

E N T E R :



Leon Jordan
UNITED STATES DISTRICT JUDGE

IN THE CRIMINAL COURT FOR KNOX COUNTY, TENNESSEE
DIVISION II

STATE OF TENNESSEE,
Appellee

v.

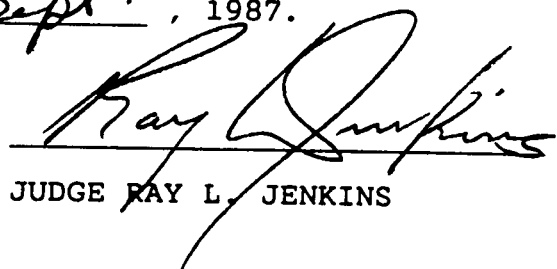
TERRY LYNN KING,
Appellant

)
:
)
:
) KNOX CRIMINAL,
: Nos. 19529, 19530
) C.C.A. No. 1031
:
)

ORDER

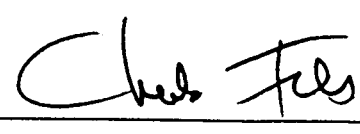
Upon motion of the appellant, Terry Lynn King, through his counsel, there being no objection by the State of Tennessee and for good cause shown, the motion of the appellant for appointment of counsel for the purpose of representing the appellant on a Petition for Post-Conviction Relief in the above-captioned case is hereby GRANTED.

ENTER this 16th day of Sept., 1987.


JUDGE RAY L. JENKINS

AGREED AND APPROVED FOR ENTRY:

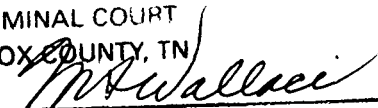
Ritchie, Fels & Dillard, P. C.



ROBERT W. RITCHIE
CHARLES W. B. FELS



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MARTHA PHILLIPS, CLERK
CRIMINAL COURT
KNOX COUNTY, TN

BY 
DEPUTY CLERK