

****THIS IS A CAPITAL CASE****

**EXECUTION SET FOR
August 1, 2023 @ 6:00 PM CENTRAL**

No. _____

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

JOHNNY JOHNSON, Petitioner,

v.

DAVID VANDERGRIF,
Warden, Potosi Correctional Center, Respondent.

On Petition for Writ of Certiorari
to the Missouri Supreme Court

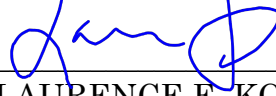
MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner Johnny A. Johnson, through undersigned counsel, seeks leave to file his Petition for Writ of Certiorari without prepayment of fees and costs and to proceed *in forma pauperis* pursuant to Rule 39 of the Rules of this Court.

Mr. Johnson is an indigent prisoner who is without funds to pay for the costs associated with this appeal. He has been declared indigent in all previous state and federal proceedings. Counsel was previously appointed in the federal district court and in the Eighth Circuit pursuant to 18 U.S.C. § 3599. Counsel was appointed in the Circuit Court of St. Louis County at trial and in post-conviction proceedings pursuant to Mo. Rev. Stat. § 600.086 and Missouri Rule 29.15, respectively.

Petitioner therefore moves to proceed with this filing of his Petition for Writ of
Certiorari *in forma pauperis*.

Respectfully submitted,



LAURENCE E. KOMP*

DANIEL KIRSCH

MEREDITH H. SCHLACTER

MANDI SCHENLEY

Assistant Federal Public Defenders

Western District of Missouri

1000 Walnut Street, Suite 600

Kansas City, MO 64106

(816) 471-8282

Laurence_komp@fd.org

Daniel_Kirsch@fd.org

Meredith_schlacter@fd.org

Mandi_schenley@fd.org

KENT E. GIPSON

Law Office of Kent Gipson, LLC

121 E. Gregory Blvd.

Kansas City, MO 64114

816-363-4400 • Fax 816-363-4300

kent.gipson@kentgipsonlaw.com

COUNSEL FOR PETITIONER

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