

No. _____

SUPREME COURT OF THE UNITED STATES

KEITH FOSTER,
Petitioner,
v.

COMMONWEALTH OF PENNSYLVANIA,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF
PENNSYLVANIA

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

STEVEN A. TEHOVNIK
Deputy Director – Trial Division
**Counsel of Record*
PA I.D. #321443

ALLEGHENY COUNTY
OFFICE OF THE PUBLIC DEFENDER
#400 County Office Building
542 Forbes Avenue
Pittsburgh, PA 15219
(412) 522-0041

Counsel for Petitioner
Keith Foster

**MOTION TO PROCEED ON WRIT OF CERTIORARI
*IN FORMA PAUPERIS***

AND NOW, comes the Petitioner Keith Foster (“Mr. Foster”), by and through his counsel, Steven A. Tehovnik, Esquire, Deputy Public Defender of Trial (“Undersigned Counsel”), and the Allegheny County Office of the Public Defender, who files the within Motion to Proceed on Writ of Certiorari *In Forma Pauperis* pursuant to Rule 39 of this Honorable Court.

1. Pursuant to the Pennsylvania Public Defender Act, 16 P.S. §§ 9960.1-9960.13, and Pa.R.Crim.P. 122 (Appointment of Counsel), the Allegheny County Office of the Public Defender was appointed to represent Mr. Foster at trial and, when the Commonwealth of Pennsylvania filed an interlocutory appeal as of right, Undersigned Counsel handled the appeal on behalf of Mr. Foster.
2. Mr. Foster has previously been granted leave to proceed *in forma pauperis* by the Supreme Court of Pennsylvania on July 24, 2023. *See* Pennsylvania Rule of Criminal Procedure 552; Pennsylvania Supreme Court Docket¹ and Verified Statement in Support of Continuation of *In Forma Pauperis* Status², 194 WAL 2023.
3. The Allegheny County Office of the Public Defender has represented Mr. Foster from the case’s inception at magisterial district court, at the trial court, and through the appellate courts, including both the Superior and Supreme Courts of Pennsylvania, and counsel is aware of no changes to his financial

¹ Attached hereto as Appendix A.

² Attached hereto as Appendix B.

situation that would affect his qualification for our services as an indigent defendant and for *in forma pauperis* status.³

Date: July 29, 2025

/s/ Steven A. Tehovnik
STEVEN A. TEHOVNIK
Deputy Director – Trial Division
**Counsel of Record*
PA I.D. #321443

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³ Mr. Foster's signed Affidavit or Declaration in Support of Motion for Leave to Proceed *In Forma Pauperis* is attached hereto as Appendix C.