

*** CAPITAL CASE ***

DOCKET NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

KEVIN DON FOSTER,

Petitioner,

vs.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT
OF APPEALS FOR THE ELEVENTH CIRCUIT

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Counsel for Petitioner, **Kevin Don Foster**, asks leave of this Court to proceed *in forma pauperis* in this proceeding. Petitioner has been found indigent by each state and federal court in which he has challenged his conviction and sentence and has been permitted to proceed *in forma pauperis* before each of those courts: the Florida Supreme Court; the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida; the United States District Court for the Middle District of Florida; and the United States Court of Appeals for the Eleventh Circuit.

The Office of the Capital Collateral Regional Counsel – South (CCRC-South) is a Florida state agency charged with the statutory responsibility of providing legal representation in both state and federal capital postconviction proceedings to people convicted and sentenced to death in Florida. Part IV, Chapter 27, Florida Statutes (1994). CCRC-South has been the counsel of record for Petitioner in his postconviction proceedings since July 12, 2001.

WHEREFORE, Petitioner requests permission to proceed in this action *in forma pauperis*.

Respectfully submitted,

/s/ Marie-Louise Samuels Parmer

MARIE-LOUISE SAMUELS PARMER

Special Assistant CCRC-South

Florida Bar No.: 0005584

marie@samuelsparmerlaw.com

*Counsel of Record

COURTNEY M. HAMMER

Staff Attorney

Florida Bar No. 1011328

Office of the Capital Collateral Regional Counsel
– South

110 SE 6th Street, Suite 701

Fort Lauderdale, FL 33301

Tel: (954) 713-1284

COUNSEL FOR PETITIONER