

No. \_\_\_\_\_  
(CAPITAL CASE)

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IN THE  
**Supreme Court of the United States**

ALI AWAD MAHMOUD IRSAN,  
*Petitioner,*

v.

STATE OF TEXAS  
*Respondent.*

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PETITION FOR A WRIT OF CERTIORARI TO  
THE TEXAS COURT OF CRIMINAL APPEALS

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**APPLICATION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

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Sheri Lynn Johnson\*  
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jmarcus@law.utexas.edu

Counsel for Petitioner

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## APPLICATION FOR LEAVE TO INFORMA PAUPERIS

Petitioner Ali Awad Mahmoud Irsan, by counsel, respectfully asks leave to file the accompanying Petition for Writ of Certiorari to the Texas Court of Criminal Appeals without prepayment of costs and to proceed in forma pauperis. Petitioner is indigent and proceeded in forma pauperis both in the trial court and on appeal. The order appointing counsel for appeal is attached as Exhibit 1. *See* Sup. Ct. R. 39.1.

Respectfully submitted,

/s/ Sheri Lynn Johnson  
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Member, Supreme Court Bar

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jmarcus@law.utexas.edu

Counsel for the Petitioner

DATED: September 12, 2025

# **EXHIBIT 1**

August 14, 2018, Order Appointing Appellate Counsel

22/999,998/ku

Cause No. 1465609

p2

THE STATE OF TEXAS

Ali Awad Mahmoud Irsan, A/K/A/ \_\_\_\_\_

184TH

District Court / County Criminal Court at Law No. \_\_\_\_\_

Harris County, Texas

NOTICE OF APPEAL

TO THE HONORABLE JUDGE OF SAID COURT:

**FILED**  
Chris Daniel  
District Clerk  
AUG 14 2018  
Time: \_\_\_\_\_  
By: \_\_\_\_\_  
Harris County, Texas  
Deputy

(a.i.)

On 8/14/2018 (date), the defendant in the above numbered and styled cause gave  
NOTICE OF APPEAL of his conviction.

The undersigned attorney (check appropriate box):

- ☒ MOVES to withdraw.
- ☐ ADVISES the court that he will CONTINUE to represent the defendant on appeal.

8-14-18 8/13/2018 (a.i.)

Date

Ali Irsan

Defendant (Printed name)

Allen Tamer Rudy Duarte  
Attorney (Signature)

Allen Tamer Rudy Duarte  
Attorney (Printed name)

19637100 06144140  
State Bar Number

917 Franklin # 550 HTA 7700  
Address

713 225-1100  
Telephone Number

The defendant (check all that apply):

- ☒ REPRESENTS to the court that he is presently INDIGENT and ASKS the court to immediately APPOINT appellate counsel to represent him.
- ☒ ASKS the Court to ORDER that a free record be provided to him.
- ☐ ASKS the court to set BAIL.

Accordingly, Appellant ASKS the Court to conduct a hearing, make findings, and enter an Order Granting the requested relief.

Ali M. Irsan

Defendant (Signature)

Ali Mah'd Awad Irsan  
Defendant's Printed name

SWORN TO AND SUBSCRIBED BEFORE ME ON 8-14-18 8-13-2018 (a.i.)

By Deputy District Clerk of Harris County, Texas \_\_\_\_\_

[Signature]

8-14-18 **ORDER**  
On 8-13-18 the Court conducted a hearing and **FINDS** that defendant / appellant

☐ IS NOT indigent at this time.

☒ IS indigent for the purpose of

☐ employing counsel

☐ paying for a clerk's and court reporter's record.

☒ employing counsel or paying for a clerk's and court reporter's record.

The Court **ORDERS** that

☒ Counsel's motion to withdraw is **GRANTED** / ~~DENIED~~.

☐ Defendant / appellant's motion (to be found indigent) is **DENIED**.

☐ Defendant's / appellant's motion is **GRANTED** and

☐ \_\_\_\_\_ (attorney's name & bar card number)  
is **APPOINTED** to represent defendant / appellant on appeal.

☐ The **COURT REPORTER** is **ORDERED** to prepare and file the reporter's record without charge to defendant / appellant.

BAIL IS:

☒ SET at \$ No Bond

☐ TO CONTINUE as presently set.

☒ DENIED and is SET at NO BOND. (Felony Only)

DATE SIGNED: 8-13-18  
8-14-18

Jan Knecker  
JUDGE PRESIDING,  
184th DISTRICT COURT /  
COUNTY CRIMINAL COURT AT LAW NO. \_\_\_\_,  
HARRIS COUNTY, TEXAS



PAUPER'S OATH ON APPEAL

CAUSE NO.: 1465609

OFFENSE: capital murder

THE STATE OF TEXAS

184th DISTRICT COURT

VS.

OF

AL. IRSAU

HARRIS COUNTY, TEXAS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES AL. IRSAU, defendant in the above styled and numbered cause, and states under oath that he is without funds, property or income. The defendant respectfully petitions the court to: (check all that apply)

- ☒ Appoint appellate counsel to represent him.  
☒ Asks the court to order that a free record be provided to him.

In custody  
DEFENDANT

SUBSCRIBED AND SWORN to before me, this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20 \_\_\_\_\_

DEPUTY DISTRICT CLERK  
184th DISTRICT COURT  
HARRIS COUNTY, TEXAS

ORDER

On Aug 14, 2018 the court conducted a hearing and found that the defendant is indigent.

- ☒ The court orders that Allen Isbell is appointed to represent defendant/appellant on appeal.  
☒ The court reporter is ordered to prepare and file the reporter's record without charge to the defendant/appellant.

It is further ordered that the clerk of this court mail a copy of the order to the court reporter:  
\_\_\_\_\_, by certified mail return receipt requested.

Mark Krocker  
JUDGE PRESIDING  
184th DISTRICT COURT  
HARRIS COUNTY, TEXAS

AFFIRMATION

I, Allen Isbell, Attorney at Law, swear or affirm that I will be solely responsible for writing a brief and representing the appellant on appeal. If I am not able to perform my duties as appellate counsel, I will notify the court immediately so that the court may take the appropriate action as deemed necessary.

Allen Isbell  
ATTORNEY (SIGNATURE)

2016 Main 110  
ADDRESS

713 236 1000  
PHONE

allenisbell@esacglobal.net  
EMAIL ADDRESS

10431500  
BAR/SPN NUMBER

Hous TX 77002  
CITY STATE ZIP

713 236 1000  
FAX NUMBER

SWORN TO AND SUBSCRIBED BEFORE ME ON 8.15.2018

DEPUTY DISTRICT CLERK (SIGNATURE)

DISTRICT CLERK

3096 2/9/18