

CAPITAL CASE

No. _____

IN THE
Supreme Court of the United States

SAMUEL LEE SMITHERS, JR.,
Petitioner,
v.
STATE OF FLORIDA,
Respondent.

MOTION TO PROCEED *IN FORMA PAUPERIS*

DEATH WARRANT SIGNED
Execution Scheduled: October 14, 2025, at 6:00 p.m.

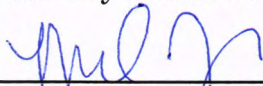
The Petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

[x] Petitioner has previously been granted leave to proceed in forma pauperis in the following courts: The Circuit Court, in and for the Thirteenth Judicial Circuit, Hillsborough County, Florida; the Supreme Court of Florida; the United States District Court for the Middle District of Florida – Tampa Division; the United States Circuit Court of Appeal for the Eleventh Circuit; the United States Supreme Court.

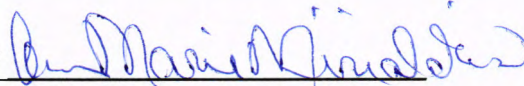
[x] Petitioner's affidavit or declaration is not attached because the court below appointed counsel in the current proceeding, and, the appointment was made under the following provision of law: Chapter 27, Florida Statutes and order of the Florida Supreme Court. Additionally, Mr. Smithers was previously appointed counsel under the Criminal Justice Act (18 U.S.C. §3006(A)) by the Eleventh Circuit Court of Appeals and by the United States District Court, Middle District of Florida under 18 U.S.C §3599.

Respectfully submitted,

/s/


MELODY JACQUAY-ACOSTA
Florida Bar No. 1010248
Assistant CCRC-M

/s/


*ANN MARIE MIRIALAKIS
Florida Bar No. 658308
Assistant CCRC-M
Counsels of Record for Petitioner
**Member of the Bar of the Supreme Court*