

IN THE  
SUPREME COURT OF THE UNITED STATES

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DEMECCIO CASTON, *Petitioner*,

*v.*

STATE OF LOUISIANA, *Respondent*.

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ON WRIT OF CERTIORARI TO THE  
LOUISIANA FOURTH CIRCUIT COURT OF APPEALS

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

Petitioner, Demeccio Caston, seeks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Mr. Caston was arrested on August 29, 2019. Exh. A. He has remained incarcerated from that date through the present day. Petitioner was declared indigent and appointed a public defender at the time of his arrest. *Id.* Once his case was indicted, he appeared with a public defender at his arraignment. Exh. B. Petitioner's public defender withdrew and Petitioner was appointed new counsel from the public defender's Conflict Panel, who represented him through trial. After his conviction. *Id.* Mr. Caston's sister retained undersigned counsel, despite her own financial struggles and trying to put a child through college. Petitioner has remained

incarcerated and indigent throughout all proceedings and would have been appointed appellate counsel but for his sister. He has received no income from any job since his arrest in August 2019.

The required affidavit is attached here as Exh. C.

Respectfully submitted,



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**Christopher J. Murell\***  
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Counsel for Demeccio Caston  
\* *Counsel of Record*

## **APPENDIX A**

MAG#: 581573

D O C K E T M A S T E R

Date: 10/27/2025

Time: 14:21:56

## ORLEANS PARISH MAGISTRATE COURT

DEFENDANT(S): CNTS CHARGE(S):

CASTON, DEMECCIO

1	RS 14 130.1	BOND:	0.00
	OBSTRUCTION OF JUSTICE		
1	RS 14 30.1	BOND:	500,000.00
	2ND DEGREE MURDER		
2	RS 14 95.1	BOND:	0.00
	POSS OF A FIREARM OR WEAPON BY FELON		

DATE PROCEEDINGS

08/29/2019 SCHIAFFIN\*  
 FIRST APPEARANCE HEARING IN MAGISTRATE COURT SECTION M5  
 BOND SET FOR \$500,000.00  
 RESULT-COURT FINDS PROBABLE CAUSE FOR 9/05/2019 AT 3:00 PM  
 SCHEDULED -HRG TO DETERMINE COUNSEL ON 9/05/2019 AT 3:00 PM, SECT M5  
 SCHEDULED -PROGRESS REPORT ON 9/26/2019 AT 3:00 PM, SECT M5  
 SCHEDULED -RULE TO SHOW CAUSE ON 10/28/2019 AT 3:00 PM, SECT M2  
 THE DEFENDANT WAS SERVED IN OPEN COURT FOR THE SECOND APPEARANCE  
 THE DISTRICT ATTORNEYS OFFICE DID NOT SEND AN ATTORNEY TO COURT  
 TO REPRESENT THE STATE OF LOUISIANA IN THIS MATTER  
 THE COURT WAS PROVIDED WITH NO CRIMINAL HISTORY OUTSIDE OF THE  
 PRE TRIAL SERVICES REPORT  
 THE STATE WAS NOT PRESENT TO INFORM THE COURT OF THE CONDITION  
 OF THE VICTIM IF ANY OR ANY ADDITIONAL INFORMATION OUTSIDE  
 OF THE GIST  
 PDJL AS TO HRTDC

09/05/2019 SCHIAFFIN\*  
 HRG TO DETERMINE COUNSEL IN MAGISTRATE COURT SECTION M5  
 SCHEDULED -HRG TO DETERMINE COUNSEL ON 9/13/2019 AT 3:00 PM, SECT M5  
 THE COURT APPOINTED THE OPD TO REPRESENT THE DEFENDANT IN THIS  
 MATTER THE APPOINTMENT WILL LAST AS LONG AS THE DEFENDANT IS  
 INCARCERATED IF THE DEFENDANT IS RELEASED THEY MUST OBTAIN  
 PRIVATE COUNSEL OR APPLY FOR REPRESENTATION AT THE OPD OFFICE  
 PDJL AS TO HRTDC

09/13/2019 MONTESSO \*  
 HRG TO DETERMINE COUNSEL IN MAGISTRATE COURT SECTION M5  
 RESULT-HELD  
 THE COURT APPOINTED OPD IN THIS MATTER

09/26/2019 SCHIAFFIN\*  
 PROGRESS REPORT IN MAGISTRATE COURT SECTION M5  
 THIS WAS THE SECOND APPEARANCE FOR THE DEFENDANT  
 THE DEFENDANT IS STILL INCARCERATED  
 THE RULE DATE HAS BEEN PREVIOUSLY SET

10/24/2019 SCHIAFFIN\*  
 UNSCHEDULED ACTIVITY IN MAGISTRATE COURT SECTION M5  
 SCHEDULED -PRELIMINARY HEARING ON 11/07/2019 AT 3:00 PM, SECT M5  
 PDJL  
 SEND NOTICES  
 FILED BY B WOODS OIDP

10/28/2019 GUTERK  
 CLERK'S OFFICE RECEIVED MOTION ON THE 10/25/2019  
 MOTION FOR A PRELIMINARY EXAMINATION  
 RULE TO SHOW CAUSE IN MAGISTRATE COURT SECTION M2  
 SCHEDULED -RULE TO SHOW CAUSE ON 12/29/2019 AT 10:00 AM, SECT M4  
 THIS MATTER IS STILL PENDING.

11/07/2019 SCHIAFFIN\*  
 PRELIMINARY HEARING IN MAGISTRATE COURT SECTION M5  
 THE DEFENDANT WAS INDICTED THIS MORNING BY GRAND JURY  
 THIS MATTER IS MOOT AS TO THE PRELIMINARY HEARING

12/29/2019 TAMBORELL\*  
 RULE TO SHOW CAUSE IN MAGISTRATE COURT SECTION M4

## END OF DOCKET MASTER

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## **APPENDIX B**

Case: 547420  
Section: I/B  
Class: 2

D O C K E T M A S T E R

Date: 10/27/2025  
Time: 14:24:13

## ORLEANS PARISH CRIMINAL DISTRICT COURT

=====DF# DEFENDANT(S) : CNTS CHARGE(S) :=====

1 CASTON, DEMECCIO

1 RS 14 130.1 BOND: 0.00  
OBSTRUCTION OF JUSTICE  
1 RS 14 30.1 BOND: 500,000.00  
2ND DEGREE MURDER  
2 RS 14 95.1 BOND: 0.00  
POSS OF A FIREARM OR WEAPON BY FELON

=====DATE PROCEEDINGS=====

11/07/2019 STALBERTM  
FILED BILL OF INDICTMENT  
"TRUE BILL"  
CAPIAS ISSUED  
BOND SET (NONE)  
MAGISTRATE PAPERWORK FILED (NONE)

11/08/2019 STALBERTM  
ALLOTTED. ARRAIGNMENT SET 11/13/19. PDOJL.

11/13/2019 LIVACCARIC  
>DEFENDANT DEMECCIO CASTON , DID NOT APPEAR FOR ARRAIGNMENT  
>COURT RESET ARRAIGNMENT. >ARRAIGNMENT SET FOR 11/14/19 >PDOJL

11/14/2019 LIVACCARIC  
>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR ARRAIGNMENT.  
>COURT APPOINTED BRIAN WOODS , OPD. >READING OF BILL OF  
INFORMATION WAIVED. >DEFENDANT ENTERED PLEA OF NOT GUILTY.  
>DISCOVERY HEARING SET FOR 12/02/19 >PDOJL

11/22/2019 MCKINNEYI  
>THE DEFENDANT, DEMECCIO CASTON, DID NOT APPEAR. ARTHUR MICHELL  
APPEARED FOR THE STATE. >TRANSFERRED TO SECTION "B" TO FOLLOW  
CASE(S) 544-969 PLEASE DISREGARD SET DATE 12/2/19. >CONTINUED  
WITHOUT DATE.

11/26/2019 LYONSM  
CASE RECEIVED IN GENERAL DOCKET.  
CASE TRANSFERRED TO SECTION "B" TO FOLLOW CASE NO. 544-969.  
\*\*\*\*\*  
CASE RECEIVED IN SECTION 'B'  
STATUS HEARIN SET FOR 12/02/19 @9AM

12/02/2019 BARNESDE  
>DEFENSE COUNSEL BRIAN WOODS APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR STATUS HEARING JASON NAPOLI, ADA, APPEARED  
FOR HEARING. >DEFENDANT IN CUSTODY AND NOT BROUGHT INTO COURT.  
>DISCOVERY HEARING SET FOR 12/12/19 >PDOJL

12/12/2019 BARNESDE  
>DEFENSE COUNSEL S.THOMPSON FOR B.WOODS APPEARED WITHOUT  
DEFENDANT, DEMECCIO CASTON FOR DISCOVERY HEARING >DEFENDANT IN  
CUSTODY AND NOT BROUGHT INTO COURT. ADA DANTA COBB STOOD IN FOR  
JASON NAPOLI. >RESET BY COURT >DISCOVERY HEARING SET FOR  
01/16/20 >PDOJL

01/16/2020 BARNESDE  
>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR DISCOVERY HEARING  
WITH COUNSEL, S.THOMPSON FOR B.WOODS STATE HAS BEEN UNABLE TO  
LOCATE THEIR RECORD AND REQUESTED ADDITIONAL TIME FOR  
DISCOVERY. >DISCOVERY HEARING SET FOR 02/05/20 >PDOJL

02/05/2020 BARNESDE  
>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR DISCOVERY HEARING  
WITH COUNSEL, S.THOMPSON FOR B.WOODS >DISCOVERY HEARING SET FOR  
02/06/20 >PDOJL

02/06/2020 BARNESDE  
>DEFENSE COUNSEL BRIAN WOODS APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR DISCOVERY HEARING >DEFENDANT IN CUSTODY AND  
NOT BROUGHT INTO COURT. STATE IS STILL IN THE PROCESS OF  
GATHERING DISCOVERY TO TENDER TO DEFENSE COUNSEL. >DISCOVERY  
HEARING SET FOR 02/20/20 >PDOJL

02/20/2020 BARNESDE  
>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR DISCOVERY HEARING  
WITH COUNSEL, BRIAN WOODS >DISCOVERY HEARING SET FOR 03/10/20  
>PDOJL

03/10/2020 BARNESDE  
>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR DISCOVERY HEARING  
WITH COUNSEL, BRIAN WOODS STATE WILL PROVIDE THE DEFENSE WITH  
DIGITAL DISCOVERY AND THE PHONE DUMP WHEN DEFENSE COUNSEL  
PROVIDES A HARD DRIVE. COURT SET BOND AT \$ 50,000.00 ON THE  
OBSTRUCTION OF JUSTICE, AND 2 COUNTS OF POSS OF A FIREARM OR  
WEAPON BY FELON FOR A TOTAL BOND OF \$ 150,000.00 PER SIGNED  
BOND INSTRUMENT # 28782. >HEARING ON MOTIONS SET FOR 04/30/20  
>PDOJL

05/27/2020 BARNESDE  
>DEFENDANT, DEMECCIO CASTON DID NOT APPEAR FOR COURT ACTION W/O  
THE COURT HAVING BEEN CLOSED DUE TO THE CORONAVIRUS FROM MARCH  
16, 2020 UNTIL 5/29/20, RESETS THE PREVIOUSLY SCHEDULED HEARING.  
>DISCOVERY HEARING SET FOR 06/02/20 >SEND NOTICE TO DEFENSE  
COUNSEL, BRIAN WOODS, OPD. >PDOJL

06/02/2020 BARNESDE  
>DEFENSE COUNSEL BRIAN WOODS APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR DISCOVERY HEARING >PRESENCE OF DEFENDANT  
WAIVED. ADA KEVIN GUILLORY APPEARED FOR HEARING AND ADVISED HE  
WILL TENDER DISCOVERY TO DEFENSE COUNSEL TODAY. >PRE-TRIAL  
CONFERENCE SET FOR 06/16/20 >HEARING ON MOTIONS SET FOR  
07/21/20 >PDOJL

06/16/2020 BARNESDE  
>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR PRE-TRIAL  
CONFERENCE WITH COUNSEL, BRIAN WOODS ADA KEVIN GUILLORY ADVISED  
THAT HE WILL PROVIDE DEFENSE COUNSEL WITH ALL DISCOVERY TODAY.  
>HEARING ON MOTIONS SET FOR 09/01/20 >PDOJL

09/01/2020 BARNESDE  
>DEFENSE COUNSEL BRIAN WOODS APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR HEARING ON MOTIONS APPEAR VIA ZOOM.  
>PRESENCE OF DEFENDANT WAIVED. THE COURT, ON ITS OWN MOTION,  
RESETS THE HEARING ON MOTION DUE TO THE COVID-19 GUIDELINES AND  
RESTRICTIONS ISSUED BY ORDER OF THE GOVERNOR OF THE STATE OF  
LOUISIANA AND THE MAYOR OF THE CITY OF NEW ORLEANS. >HEARING ON  
MOTIONS SET FOR 10/29/20 >PDOJL

10/29/2020 BARNESDE  
>DEFENDANT, DEMECCIO CASTON DID NOT APPEAR FOR HEARING ON  
MOTIONS THE COURT, ON ITS OWN MOTION, CONTINUES THE HEARING ON  
MOTION DUE TO THE THREAT OF HURRICANE ZETA. >HEARING ON MOTIONS  
SET FOR 01/26/21 >NOTIFY DEF.COUNSEL. >PDOJL

01/26/2021 BARNESDE  
>DEFENSE COUNSEL BRIAN WOODS APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR HEARING ON MOTIONS MR. WOODS, OPD, APPEARED  
VIA ZOOM. KEVIN GUILLORY, ADA, APPEARED VIA ZOOM. >CONTINUED ON  
JOINT MOTION. >HEARING ON MOTIONS SET FOR 03/16/21 >PDOJL

03/16/2021 BARNESDE  
>DEFENDANT, DEMECCIO CASTON APPEARED WITH COUNSEL, M. BALFE FOR  
FOR B. WOODS, FOR HEARING ON MOTIONS VIA ZOOM. KEVIN GUILLORY,  
ADA, APPEARED VIA ZOOM. >CONTINUED ON DEFENSE MOTION. >HEARING  
ON MOTIONS SET FOR 04/22/21 >PDOJL

04/19/2021 BARNESDE  
>DEFENDANT, DEMECCIO CASTON DID NOT APPEAR FOR COURT ACTION W/O  
HEARING THE COURT, ON ITS OWN MOTION, CONTINUES THE HEARING SET  
ON 4/22/21. >PRE-TRIAL CONFERENCE SET FOR 05/13/21 >PDOJL

05/13/2021 BARNESDE  
>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR PRE-TRIAL  
PRE-TRIAL CONFERENCE WITH COUNSEL, BRIAN WOODS VIA ZOOM. KEVIN  
GUILLORY, ADA, APPEARED VIA ZOOM. >HEARING ON MOTIONS SET FOR  
06/22/21 >PDOJL

06/22/2021 BARNESDE  
>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR HEARING ON MOTIONS  
WITH COUNSEL, BRIAN WOODS DEFENSE COUNSEL ADVISED THE COURT  
THAT HE WAS NOTIFIED BY HIS OFFICE THAT THIS DEFENDANT IS A  
CONFLICT. DEFENSE COUNSEL WAS NOT ABLE TO PROVIDE THE COURT  
WITH A REASON FOR THE CONFLICT. DEFENSE COUNSEL IS TO FILE  
WRITTEN MOTION REGARDING THE CONFLICT BY 6/28/21. >PRE-TRIAL  
CONFERENCE SET FOR 07/08/21 >PDOJL

07/08/2021 BARNESDE  
>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR PRE-TRIAL  
CONFERENCE WITH COUNSEL, BRIAN WOODS KEVIN GUILLORY, ADA,  
APPEARED FOR HEARING. JARED MILLER, OPD, APPEARED FOR HEARING

AND ADVISED A MOTION TO WITHDRAW WILL BE FILED. COURT ORDERED THE MOTION TO WITHDRAW DUE TO CONFLICT IS FILED BY TOMORROW, JULY 9, 2021. MICHAEL KENNEDY, CONFLICT COUNSEL, APPEARED FOR HEARING AND IS REQUESTING MOTION HEARING IS SET FOR 8/3/21.  
>CONTRADICTORY HEARING SET FOR 08/13/21 >PDOJL

07/13/2021 FISHERT  
CLERK'S OFFICE RECEIVED MOTION TO WITHDRAW AS COUNSEL OF RECORD.  
>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR CONTRADICTORY HEARING WITH COUNSEL, BRIAN WOODS DEFENSE COUNSEL FILED MOTION TO WITHDRAW AS COUNSEL OF RECORD. COURT GRANTS MOTION TO WITHDRAW FOR THE REASONS STATED IN THE MOTION. OPD WILL PROVIDE ALL DISCOVERY TO DEFENSE COUNSEL BY THE END OF THE WEEK.  
>HEARING ON MOTIONS SET FOR 08/03/21 >DNOC.

07/26/2021 BARNESDE  
>DEFENSE COUNSEL MICHAEL KENNEDY APPEARED WITHOUT DEFENDANT, DEMECCIO CASTON FOR HEARING ON MOTIONS >PRESENCE OF DEFENDANT WAIVED. DEFENSE COUNSEL IS REQUESTING A CONTINUANCE DUE TO DEFENSE COUNSEL HAS A PENDING TRIAL IN ANOTHER SECTION AND HE HAS NOT RECEIVED THE DISCOVERY FROM BRIAN WOODS, OPD. MR. KENNEDY ADVISED THAT HE DROPPED OFF A FLASH DRIVE AT OPD OFFICE FOR MR. WOODS TO PROVIDE DISCOVERY. F.BUZZI, OPD, APPEARED FOR B. WOODS AND WILL ADVISE HIM TO TENDER DISCOVERY. ON ORAL MOTION BY THE DEFENSE, THE COURT GRANTED A CONTINUANCE OF THE MOTION HEARING SET ON 8/3/21. >HEARING ON MOTIONS SET FOR 09/16/21 >PDOJL

08/03/2021 BARNESDE  
>DEFENDANT, DEMECCIO CASTON DID NOT APPEAR FOR DISCOVERY HEARING BRIAN WOODS, OPD, APPEARED IN COURT AND ADVISED THE COURT THAT HE HAS BEEN UNABLE TO GO INTO HIS OFFICE TO RETRIEVE THE FLASH DRIVE LEFT BY ATTORNEY MICHAEL KENNEDY FOR DISCOVERY. >HEARING ON MOTIONS SET FOR 09/16/21

09/16/2021 BARNESDE  
>DEFENDANT, DEMECCIO CASTON DID NOT APPEAR FOR HEARING ON MOTIONS DUE TO THE EMERGENCY CREATED BY HURRICANE IDA, INCLUDING ROAD CLOSURES, DAMAGE DUE TO HIGH WINDS AND THE FLOODING AND LOSS OF POWER AND WATER IN AREAS OF THE CITY OF NEW ORLEANS AND FOR THE SAFETY OF THE PUBLIC AND COURT STAFF, THE CRIMINAL DISTRICT COURT WILL BE CLOSED FROM MONDAY, AUGUST 30, 2021 THROUGH SUNDAY, SEPTEMBER 19, 2021. COURT WILL REOPEN ON MONDAY, SEPTEMBER 20, 2021. >HEARING ON MOTIONS SET FOR 10/12/21 >PDOJL

10/12/2021 BARNESDE  
>DEFENDANT, DEMECCIO CASTON APPEARED WITH COUNSEL, MICHAEL KENNEDY FOR HEARING ON MOTIONS KEVIN GUILLORY, ADA, APPEARED FOR HEARING. >CONTINUED ON STATE MOTION DETECTIVE IS ON LEAVE. DEFENSE COUNSEL HAS FILED A PLEA RESOLUTION WITH THE STATE.  
>PRE-TRIAL CONFERENCE SET FOR 10/26/21 >HEARING ON MOTIONS SET FOR 10/28/21 >PDOJL

10/26/2021 FISHERT  
CLERK'S OFFICE RECEIVED MOTION FOR SPEEDY TRIAL.  
>DEFENSE COUNSEL MICHAEL KENNEDY APPEARED WITHOUT DEFENDANT, DEMECCIO CASTON FOR PRE-TRIAL CONFERENCE >PRESENCE OF DEFENDANT WAIVED. KEVIN GUILLORY, ADA, APPEARED FOR HEARING. DEFENSE COUNSEL WAIVES MOTIONS. DEFENSE COUNSEL FILED MOTION FOR SPEEDY TRIAL. COURT GRANTED. STATE TENDERED PLEA OFFER. COURT VACATES THE MOTION HEARING SET FOR 10/28/21. >PRE-TRIAL CONFERENCE SET FOR 11/16/21 >PDOJL

11/16/2021 BARNESDE  
>DEFENSE COUNSEL MICHAEL KENNEDY APPEARED WITHOUT DEFENDANT, DEMECCIO CASTON FOR PRE-TRIAL CONFERENCE >PRESENCE OF DEFENDANT WAIVED. ED MC GOWAN, ADA, APPEARED FOR HEARING. DEFENSE COUNSEL ADVISED THAT NO RESOLUTION WAS REACHED. >PRE-TRIAL CONFERENCE SET FOR 01/31/22 >TRIAL SET FOR 02/07/22 >PDOJL

01/31/2022 BARNESDE  
>DEFENSE COUNSEL MICHAEL KENNEDY APPEARED WITHOUT DEFENDANT, DEMECCIO CASTON FOR PRE-TRIAL CONFERENCE >PRESENCE OF DEFENDANT WAIVED. COURT VACATES TRIAL DATE OF 2/7/22. >PRE-TRIAL CONFERENCE SET FOR 02/07/22 >PDOJL

02/07/2022 BARNESDE  
>DEFENSE COUNSEL MICHAEL KENNEDY APPEARED ON BEHALF OF DEMECCIO CASTON FOR PRE-TRIAL CONFERENCE >PRESENCE OF DEFENDANT WAIVED. ELIZABETH STRAUSS, ADA, APPEARED FOR HEARING. STATE AND DEFENSE ARE TO FILE ALL PRE-TRIAL MOTIONS BY 2/22/22. >PRE-TRIAL CONFERENCE SET FOR 02/22/22 >TRIAL SET FOR 03/07/22 >PLACE THE DEFENDANT ON THE JAIL LIST FOR TRIAL ON 3/7/22. >THE

DEFENDANT'S PRESENCE IS NOT REQUIRED FOR PRE-TRIAL ON 2/22/22  
02/14/2022 BARNESDE  
>DEFENSE COUNSEL MICHAEL KENNEDY APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR PRE-TRIAL CONFERENCE >PRESENCE OF DEFENDANT  
WAIVED. >PRE-TRIAL CONFERENCE SET FOR 02/22/22 >PDOJL

02/22/2022 BARNESDE  
>DEFENSE COUNSEL MICHAEL KENNEDY APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR PRE-TRIAL CONFERENCE >PRESENCE OF DEFENDANT  
WAIVED. ELIZABETH STRAUSS, ADA, APPEARED FOR HEARING AND  
ADVISED THE COURT THAT THE STATE IS CONSIDERING FILING A  
MATERIAL WITNESS BOND. THE WITNESS ACKNOWLEDGED THE SUBPOENA.  
STATE AND DEFENSE HAVE NO PRE-TRIAL MOTIONS TO FILE. >PRE-TRIAL  
CONFERENCE SET FOR 02/23/22 >TRIAL SET FOR 03/07/22 >PDOJL

02/23/2022 FISHERT  
CLERK'S OFFICE RECEIVED MOTION FOR ISSUANCE OF MATERIAL WITNESS  
BOND; STATE'S ANSWER TO MOTIONS FOR DISCOVERY INSPECTION AND BILL  
OF PARTICULARS AND STATE'S MOTION FOR DISCOVERY AND OTHER PRETRIAL  
PRETRIAL NOTICES.  
>DEFENSE COUNSEL MICHAEL KENNEDY APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR PRE-TRIAL CONFERENCE >PRESENCE OF DEFENDANT  
WAIVED. ELIZABETH STRAUSS AND MATTHEW DERBES, ADA, APPEARED FOR  
HEARING AND FILED MOTION FOR ISSUANCE OF MATERIAL WITNESS BOND  
AND STATE'S ANSWER TO MOTIONS FOR DISCOVERY, INSPECTION AND  
BILL OF PARTICULARS AND STATE'S MOTION FOR DISCOVERY AND OTHER  
PRE-TRIAL MOTIONS. OPD WAS APPOINTED TO REPRESENT THE WITNESS.  
COURT WAS PROVIDED WITH A COPY OF THE SETTLEMENT, RELEASE AND  
INDEMNITY AGREEMENT THE DISTRICT ATTORNEY'S OFFICE ENTERED INTO  
ON 10/5/21. >PRE-TRIAL CONFERENCE SET FOR 02/24/22 >PDOJL

03/07/2022 FISHERT  
CLERK'S OFFICE RECEIVED STATE'S NOTICE PURSUANT TO LA.C.C.R.P.  
ART. 768; MOTION IN LIMINE TO FINGERPRINT DEFENDANT; SUPPLEMENTAL  
MEMORANDUM IN SUPPORT OF MOTION FOR ISSUANCE OF MATERIAL WITNESS  
WARRANT AND AMENDED DATE RANGE FOR APPEARANCE OF WITNESS BETWEEN  
MARCH 8TH AND 11TH 2022; MOTION IN LIMINE TO DEEM CORONER'S  
REPORT ADMISSIBLE PURSUANT TO LA.C.E.ART. 902(11); MOTION IN LIMINE  
EXCLUDE DEFENSE ATTEMPTS TO INTRODUCE EXHIBITS TESTIMONY AND /OR  
ALIBI EVIDENCE DUE TO FAILURE TO COMPLY WITH LA.C.C.R.P.ART. 724, ET  
SEQ; NOTICE OF INTENT TO USE INculpatory STATEMENT; MOTION IN  
LIMINE TO STRIKE ANY UN-URGED MOTIONS AND TO DEEM THE DEFENDANT'S  
STATEMENT ADMISSIBLE; MOTION IN LIMINE TO DEEM CORONER'S REPORT  
ADMISSIBLE PURSUANT TO LA.C.E.ART. 902(11) (CASTON DEMECCIO)  
>DEFENDANT ELECTED TRIAL BY JURY. >ELIZABETH STRAUSS and  
N.MCGOWAN/A.KREIGE REPRESENTED THE STATE. DEFENSE MADE ORAL  
MOTION IN LIMINE AND WILL FILE WRITTEN MOTION BY 3/8/22. STATE  
HAS NO OBJECTION. DEFENSE MOTION IN LIMINE GRANTED. STATE  
FILED MOTION IN LIMINE TO DEEM CORONER'S REPORT ADMISSIBLE  
PURSUANT TO LA.C.E.ART. 902(11). DEFENSE OBJECTED. COURT  
DENIED MOTION IN LIMINE TO DEEM CORONER'S REPORT ADMISSIBLE.  
STATE AMENDED MOTION IN LIMINE TO DEEM CORONER'S REPORT  
ADMISSIBLE AND WILL ONLY INTRODUCE PAGE 1 OF 1 OF CORONER'S  
REPORT. COURT GRANTED MOTION. STATE FILED MOTION IN LIMINE  
EXCLUDE DEFENSE ATTEMPTS TO INTRODUCE EXHIBITS TESTIMONY AND /OR  
ALIBI EVIDENCE DUE TO FAILURE TO COMPLY WITH LA.C.C.R.P.ART.  
724, ET SEQ. DEFENSE COUNSEL ACKNOWLEDGED THAT NO SUCH  
DOCUMENTATION HAS BEEN FILED. MOTION IN LIMINE TO EXCLUDE  
DEFENSE ATTEMPTS IS GRANTED. STATE FILED MOTION IN LIMINE TO  
FINGERPRINT DEFENDANT. MOTION TO FINGERPRINT IS GRANTED. STATE  
FILED MOTION IN LIMINE TO STRIKE ANY UN-URGED MOTIONS AND TO  
DEEM THE DEFENDANT'S STATEMENT ADMISSIBLE. DEFENSE COUNSEL  
WAIVED ALL MOTIONS ON 10/26/21. THIS MOTION IN LIMINE IS MOOT.  
STATE FILED NOTICE OF INTENT TO USE INculpatory STATEMENT.  
>TRIAL CONTINUED TO 03/08/22 >PDOJL

03/08/2022 FISHERT  
CLERK'S OFFICE RECEIVED MOTION IN LIMINE.  
>DEFENDANT, DEMECCIO CASTON, APPEARED REPRESENTED BY MICHAEL  
KENNEDY >ELIZABETH STRAUSS and N.MCGOWAN/A.KREIGE REPRESENTED  
THE STATE. >TRIAL CONTINUED FROM 03/07/22 >STATE WITNESSES:  
>STATE EVIDENCE: S-EX-01 S-EX-02 S-EX-03 S-EX-04 S-EX-05  
S-EX-06 S-EX-07 S-EX-08 S-EX-09 S-EX-10 S-EX-11 S-EX-12 S-EX-13  
S-EX-14 S-EX-16 DEFENSE COUNSEL MADE ORAL MOTION TO STIKE A  
JUROR. THE COURT DENIED THE MOTION. DEFENSE OBJECTED. >TRIAL  
CONTINUED TO 03/09/22 >PDOJL

03/09/2022 BARNESDE  
>DEFENDANT, DEMECCIO CASTON, APPEARED REPRESENTED BY MICHAEL  
KENNEDY >ELIZABETH STRAUSS and N.MCGOWAN/A.KREIGE REPRESENTED

THE STATE. >TRIAL CONTINUED FROM 03/08/22 >STATE WITNESSES:  
>STATE EVIDENCE: S-EX-15 S-EX-17 S-EX-18 S-EX-19 S-EX-20  
DEFENSE MADE ORAL MOTION TO ADD RESPONSIVE VERDICT TO CTS 2 AND  
4 AND WILL FILE WRITTEN MOTIONS ON 3/10/22. COURT DENIED  
REQUEST. DEFENSE OBJECTED. DEFENSE MADE ORAL MOTION TO ADD  
RESPONSIVE VERDICT TO COUNT 3 AND WILL FILE WRITTEN MOTION ON  
3/10/22. COURT DENIED REQUEST. DEFENSE OBJECTED. >TRIAL  
CONTINUED TO 03/10/22 >PDOJL

03/10/2022 FISHERT  
CLERK'S OFFICE RECEIVED (3)MOTION FOR SPECIAL RESPONSIVE VERDICT.  
>DEFENDANT, DEMECCIO CASTON , APPEARED REPRESENTED BY MICHAEL  
KENNEDY >ELIZABETH STRAUSS and N.MCGOWAN/A.KREIGER REPRESENTED  
THE STATE. >TRIAL CONTINUED FROM 03/09/22 >JURY RETIRED TO  
DELIBERATE. >JURY RETURNED WITH VERDICT. >FOR DEFENDANT  
DEMECCIO CASTON >FOR 1 RS 14 30.1 DEFENDANT FOUND GUILTY BY  
JURY. >FOR 2 RS 14 95.1 DEFENDANT FOUND GUILTY BY JURY. >FOR 3  
RS 14 130.1 DEFENDANT FOUND GUILTY BY JURY. >FOR 4 RS 14 95.1  
DEFENDANT FOUND GUILTY BY JURY. >SENTENCING SET FOR 04/05/22  
>PDOJL

03/21/2022 BARNESDE  
>DEFENDANT, DEMECCIO CASTON DID NOT APPEAR FOR FILING(S) IN OPEN  
COURT THE 4 RESPONSIVE VERDICT FORMS AND JUROR SLIPS WERE  
PLACED UNDER SEAL. >SENTENCING SET FOR 04/05/22 >PDOJL

03/29/2022 BARNESDE  
>DEFENSE COUNSEL MICHAEL KENNEDY APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR SENTENCING >CONTINUED ON DEFENSE MOTION.  
DEFENSE COUNSEL REQUESTED THE SENTENCING HEARING SCHEDULED FOR  
4/5/22 IS VACATED. COURT VACATES THE SENTENCING HEARING SET ON  
4/5/22. >SENTENCING SET FOR 04/26/22 >PDOJL

04/19/2022 FISHERT  
CLERK'S OFFICE RECEIVED MOTION TO SUBSTITUTE AND ENROLL COUNSEL  
MOTION TO CONTINUE.  
>DEFENSE COUNSEL CHRISTOPHER MURRELL APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR FILING(S) IN OPEN COURT >PRESENCE OF  
DEFENDANT WAIVED. DEFENSE FILED MOTION TO SUBSTITUTE AND ENROLL  
AS COUNSEL AND MOTION TO CONTINUE. DEFENSE COUNSEL WAIVES  
STATUTORY SENTENCING DELAYS. COURT GRANTED CONTINUANCE OF THE  
SENTENCE HEARING SET ON 4/26/22. DEFENSE TO FILE MOTIONS BY  
6/2/22. >SENTENCING SET FOR 06/23/22 >PDOJL

04/26/2022 BARNESDE  
>DEFENDANT, DEMECCIO CASTON DID NOT APPEAR FOR SENTENCING ON  
DOCKET IN ERROR. >SENTENCING SET FOR 06/23/22

06/01/2022 FISHERT  
CLERK'S OFFICE RECEIVED UNOPPOSED MOTION TO CONTINUE.  
>DEFENSE COUNSEL CHRISTOPHER MURELL APPEARED WITHOUT DEFENDANT,  
DEMECCIO CASTON FOR FILING(S) IN OPEN COURT DEFENSE COUNSEL  
FILED UNOPPOSED MOTION TO CONTINUE. COURT GRANTED REQUEST.  
COURT VACATES THE FILING OF THE SENTENCING BRIEF ON 6/2/22 AND  
DEFENSE IT TO FILE THE BRIEF ON 7/18/22. COURT VACATES THE  
SENTENCE HEARING ON 6/23/22. >FILING(S) IN OPEN COURT SET FOR  
07/18/22 >SENTENCING SET FOR 09/01/22 >PDOJL

07/07/2022 BARNESDE  
>DEFENSE COUNSEL CHRISTOPHER MURELL FILED UNOPPOSED MOTION TO  
REFIX POST-TRIAL MOTION BEIEFING SCHDULE. ADA ELIZABETH STRAUSS  
APPEARED FOR HEARING. COURT GRANTS MOTION TO REFIX POST-TRIAL  
BRIEFING SCHEDULE. ALL POST-TRIAL MOTIONS FROM THE DEFENSE TO  
BE FILED BY THE 4TH DAY OF AUGUST, 2022. ALL OPPOSITIONS TO  
POST-TRIAL MOTIONS BY THE STATE BE FILED BY THE 22ND DAY OF  
AUGUST, 2022. ANY REPLIES TO THE STATE'S OPPOSITION BE FILED  
BY THE 24TH DAY OF AUGUST, 2022. >SENTENCING SET FOR 09/01/22

08/04/2022 FISHERT  
CLERK'S OFFICE RECEIVED MOTION FOR NEW TRIAL.  
>DEFENSE COUNSEL CHRISTOPHER MURELL FILED MOTION FOR NEW TRAL  
ON DEMECCIO CASTON. >SENTENCING SET FOR 09/01/22 >PDOJL

08/18/2022 FISHERT  
CLERK'S OFFICE RECEIVED SUPPLEMENT TO MOTION FOR NEW TRIAL.  
08/22/2022 BARNESDE

>DEFENSE COUNSEL CHRISTOPHER MURELL FILED SUPPLEMENT TO MOTION  
FOR NEW TRIAL ON DEMECCIO CASTON. >SENTENCING SET FOR 09/01/22  
>PDOJL

08/25/2022 BARNESDE  
>DEFENDANT, DEMECCIO CASTON DID NOT APPEAR FOR COURT ACTION W/O  
HEARING COURT ISSUED AN ORDER DIRECTED TO THE DISTRICT  
ATTORNEY'S OFFICE FILE ANY OBJECTIONS IT MAY HAVE TO MR.  
CASTON'S MOTION BY 9:00 AM ON 8/31/22. >SENTENCING SET FOR

09/01/22 &gt;PDOJL

08/31/2022

FISHERT

CLERK'S OFFICE RECEIVED STATE'S MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION FOR NEW TRIAL.

>DEFENSE COUNSEL CHRISTOPHER MURRELL APPEARED WITHOUT DEFENDANT, DEMECCIO CASTON FOR FILING(S) IN OPEN COURT ADA ELIZABETH STRAUSS APPEARED FOR HEARING AND FILED STATE'S MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION FOR NEW TRIAL. DEFENSE COUNSEL PRESENTED OPPOSED MOTION TO CONTINUE. >THE COURT, AFTER HEARING ORAL ARGUMENTS, DENIES DEFENSE OPPOSED MOTION TO CONTINUE. DEFENSE PRESENTED SUBPOENA. COURT SIGNED SUBPOENA. >SENTENCING SET FOR 09/01/22 >PDOJL

09/01/2022

FISHERT

CLERK'S OFFICE RECEIVED OPPOSED MOTION TO CONTINUE.

>THE DEFENDANT, DEMECCIO CASTON APPEARED FOR SENTENCING WITH COUNSEL, CHRISTOPHER MURRELL ELIZABETH STRAUSS, ADA, APPEARED FOR HEARING. DEFENSE COUNSEL RENEWS REQUEST FOR CONTINUANCE OF MOTION FOR NEW TRIAL. DEFENSE COUNSEL ATTEMPTED TO SERVE A WITNESS THROUGH HER MOTHER YESTERDAY, BUT THE WITNESS HAS NOT APPEARED FOR HEARING. ADA STRAUSS OPPOSES CONTINUANCE BASED ON THE POSITION THAT THE WITNESS AND ANY TESTIMONY RESULTING THEREFROM SHOULD NOT BE CONSIDERED "NEWLY DISCOVERED EVIDENCE". COURT DENIES CONTINUANCE. DEFENSE OBJECTED. STATE MOVES TO STRIKE MOTION FOR NEW TRIAL DUE TO ABSENCE OF DEFENSE ATTORNEY'S AFFIDAVIT UNDER ARTICLE 854. DEFENSE OBJECTS. DEFENSE NOTED THAT STATE FAILED TO FILE ITS REPLY TO DEFENSE MOTION FOR NEW TRIAL BY 8/24/22, PURSUANT TO COURT ORDER. STATE ARGUED THAT IT NEEDED ADDITIONAL TIME BEYOND THE 8/24/22 DATE. COURT REVIEWED POST TRIAL SCHEDULE ORDER AND NOTED THE FOLLOWING: COURT GRANTED DEFENSE'S REQUEST FOR A CONTINUANCE OF SENTENCE HEARING AS A RESULT TO AVOID FURTHER DELAYS. COURT SET SCHEDULE FOR DEFENSE TO FILE MOTION FOR NEW TRIAL BY AUGUST 4, 2022 AND FOR STATE TO FILE A RESPONSE BY 8/24/22, WITH SENTENCING SET FOR SEPTEMBER 1, 2022. DEFENSE COUNSEL FILED MOTION FOR NEW TRIAL ON 8/4/22 AND A SUPPLEMENTAL MOTION ON 8/18/22, BUT STATE FAILED TO FILE RESPONSE BY 8/24/22 DEADLINE. COURT AGAIN ORDERED STATE TO RESPOND BY 8/31/22, ON WHICH DATE STATE FILED A MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION FOR NEW TRIAL. THE COURT, AFTER HEARING ORAL ARGUMENTS ON DEFENSE MOTION FOR NEW TRIAL, DENIES DEFENSE MOTION FOR NEW TRIAL AS TO ARGUMENTS SET FORTH IN THE DEFENSE'S 8/18/22 SUPPLEMENTAL MOTION AND COURT DENIES DEFENSE'S REQUEST FOR A NEW TRIAL UNDER C.C.R.P.ART.851(5). DEFENSE OBJECTED. DEFENSE WAVIES SENTENCING DELAYS. STATE CALLED THE FOLLOWING WITNESSES FOR VICTIM IMPACT STATEMENTS: (1) MAKIREYA JOHNSON, MOTHER (2) ANGELA WILLIAMS, AUNT (3) DONZELLA LAMAR, MOTHER >SENTENCE: >AS TO COUNT 1, >LIFE AT DEPARTMENT OF CORRECTIONS. >CONCURRENT WITH THESE COUNTS: AND WITH ANY AND ALL OTHER SENTENCES >WITHOUT BENEFIT OF PROBATION, PAROLE OR SUSPENSION. >CREDIT FOR TIME SERVED. >AS TO COUNT 2, >20 YEARS, AT DOC AT HARD LABOR. >CONCURRENT WITH THESE COUNTS: AND WITH ANY AND ALL OTHER SENTENCES >WITHOUT BENEFIT OF PROBATION, PAROLE OR SUSPENSION. >CREDIT FOR TIME SERVED. >AS TO COUNT 3, >40 YEARS, AT DOC AT HARD LABOR. >CONCURRENT WITH THESE COUNTS: AND WITH ANY AND ALL OTHER SENTENCES >WITHOUT BENEFIT OF PROBATION, PAROLE OR SUSPENSION. >CREDIT FOR TIME SERVED. >AS TO COUNT 4, >20 YEARS, AT DOC AT HARD LABOR. >CONCURRENT WITH THESE COUNTS: AND WITH ANY AND ALL OTHER SENTENCES >WITHOUT BENEFIT OF PROBATION, PAROLE OR SUSPENSION. >CREDIT FOR TIME SERVED. DEFENSE COUNSEL MADE ORAL MOTION FOR APPEAL AND WILL FILE WRITTEN MOTION BY 9/8/22. >CASE CLOSED, THIS DEFENDANT.

09/19/2022

FISHERT

CLERK'S OFFICE RECEIVED MOTION FOR APPEAL AND DESIGNATION OF RECORD.

10/04/2022

BARNESDE

>DEFENSE COUNSEL CHRISTOPHER MURRELL FILED MOTION FOR APPEAL AND DESIGNATION OF RECORD ON DEMECCIO CASTON. >CONTINUED WITHOUT DATE.

09/08/2023

BARNESDE

>DEFENDANT, DEMECCIO CASTON DID NOT APPEAR FOR FILING OF WRITS COURT RECEIVED ORDER FROM THE 4TH CIRCUIT COURT OF APPEALS DATED SEPTEMBER 7, 2023 UNDER CASE NO. 2023-K-0539. CONSIDERING THE MOTION TO SUPPLEMENT THE RECORD AND THE MOTION TO STAY FILED BY THE APPELLANT, DEMECCIO CASTON: IT IS ORDERED THAT THE MOTION TO SUPPLEMENT THE RECORD IS GRANTED AND THAT THE CLERK OF

CRIMINAL DISTRICT COURT SUPPLEMENT THE RECORD WITH THE FOLLOWING ITEMS WITHIN THIRTY (30) DAYS OF THIS ORDER: (1) MR CASTON'S SUPPLEMENTAL MOTION FOR NEW TRIAL AND ACCOMPANYING EXHIBITS; (2) A COMPLETE TRANSCRIPT OF VOIR DIRE, INCLUDING QUESTIONING AS WELL AS JURY STRIKING AND CHALLENGES; (3) A TRANSCRIPT OF THE PORTIONS OF THE AUDIOTAPED STATEMENT MADE BY THE SOLE EYEWITNESS - KEVINISHA RUSSELL - THAT WERE PLAYED TO JURORS DURING HER TESTIMONY AND DURING THE STATE'S CLOSING ARGUMENT; (4) TRANSCRIPTION OF BENCH CONFERENCES DURING TRIAL OR CERTIFICATION TO THIS COURT THAT THEY ARE NOT TRANSCRIBED; (5) A COPY OF THE TRIAL COURT'S JURY SELECTION SHEET WHERE CHALLENGES FOR CAUSE AND PREEMPTORY STRIKES WERE RECORDED; (6) COPIES OF ALL DOCUMENTARY EVIDENCE INTRODUCED AT TRIAL; AND (7) MINUTE ENTRIES FROM FEBRUARY 22, 2022; FEBRUARY 23, 2033; MARCH 7, 2022; MARCH 8, 2022; AND MARCH 9, 2022. IT IS FURTHER ORDERED THAT THE BRIEFING SCHEDULE IN THIS MATTER IS STAYED PENDING SUPPLEMENTATION OF THE RECORD. UPON SUPPLEMENTATION, THE STAY WILL BE LIFTED, REQUIRING NO FURTHER ACTION FROM THE COURT. AT THAT TIME, THE CLERK OF THIS COURT WILL ISSUE A NEW BRIEFING SCHEDULE. >CONTINUED WITHOUT DATE.

02/24/2025

BARNESDE

>DEFENDANT, DEMECCIO CASTON DID NOT APPEAR FOR FILING OF WRITS >FOURTH CIRCUIT WRIT # 2023-KA-0539 FILED TODAY. CONVICTION AND THIS DAY. BASED ON THE FOREGOING REASONS, THE CONVICTIONS AND SENTENCES FOR SECOND DEGREE MURDER WITH A FIREARM AND OBSTRUCTION OF JUSTICE IN A HOMICIDE INVESTIGATION. ADDITIONALLY, WE AFFIRM MR. CASTON'S CONVICTIONS FOR ILLEGAL POSSESSION OF A FIREARM BY A CONVICTED FELON; HOWEVER, WE VACATE THE SENTENCES ON THESE COUNTS AND REMAND THE MATTER FOR THE SOLE PURPOSE OF IMPOSING THE MANDATORY FINE REQUIRED BY LA.R.S. 14:95.A(B)(1). >THIS MATTER IS CONTINUED WITHOUT DATE.

06/11/2025

BARNESDE

>DEFENSE COUNSEL LYDIAPAIGE MOFFETT APPEARED WITHOUT DEFENDANT, DEMECCIO CASTON FOR RESENTENCING >PRESENCE OF DEFENDANT WAIVED. CAITLIN CLEARY, ADA, APPEARED FOR HEARING. THE COURT, AFTER REVIEWING THE ORDER RECEIVED FROM THE 4TH CIRCUIT COURT OF APPEALS REGARDING THE FINE PURSUANT TO ARTICLE 14:95.A(B)(1). THE COURT DECLARES THE DEFENDANT AS INDIGENT AND WAIVES THE MANDATORY FINE. >CONTINUED WITHOUT DATE.

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END OF DOCKET MASTER

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## **APPENDIX C**

IN THE  
SUPREME COURT OF THE UNITED STATES

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Demeccio Caston

— PETITIONER

(Your Name)

VS.

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State of Louisiana

— RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

*Petitioner was appointed and represented  
by public defender throughout trial proceedings*

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

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: \_\_\_\_\_  
\_\_\_\_\_, or

a copy of the order of appointment is appended.

  
(Signature)

**AFFIDAVIT OR DECLARATION  
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Demecio Coston, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Income from real property (such as rental income)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Interest and dividends	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Gifts	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Alimony	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Child Support	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Unemployment payments	\$ <u>0</u>	\$ _____	\$ <u>6</u>	\$ _____
Public-assistance (such as welfare)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ <u>0</u>	\$ _____
<b>Total monthly income:</b>	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
N/A	_____	_____	\$_____
	_____	_____	\$_____
	_____	_____	\$_____

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
N/A	_____	_____	\$_____
	_____	_____	\$_____
	_____	_____	\$_____

4. How much cash do you and your spouse have? \$ less than \$500  
 Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
N/A	\$_____	\$_____
	\$_____	\$_____
	\$_____	\$_____

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home  
 Value \_\_\_\_\_

Other real estate  
 Value \_\_\_\_\_

Motor Vehicle #1  
 Year, make & model \_\_\_\_\_  
 Value \_\_\_\_\_

Motor Vehicle #2  
 Year, make & model \_\_\_\_\_  
 Value \_\_\_\_\_

Other assets  
 Description \_\_\_\_\_  
 Value \_\_\_\_\_

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
<u>N/A</u>	_____	_____
_____	_____	_____
_____	_____	_____

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>0</u>	\$ <u>N/A</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0</u>	\$ _____
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ _____
Food	\$ <u>0</u>	\$ _____
Clothing	\$ <u>0</u>	\$ _____
Laundry and dry-cleaning	\$ <u>0</u>	\$ _____
Medical and dental expenses	\$ <u>0</u>	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ _____
Life	\$ <u>0</u>	\$ _____
Health	\$ <u>0</u>	\$ _____
Motor Vehicle	\$ <u>0</u>	\$ _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ _____
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ _____
Credit card(s)	\$ <u>0</u>	\$ _____
Department store(s)	\$ <u>0</u>	\$ _____
Other: _____	\$ <u>0</u>	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ _____
Other (specify): _____	\$ _____	\$ _____
<b>Total monthly expenses:</b>	\$ <u>0</u>	\$ _____

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes  No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form?  Yes  No

If yes, how much? Sister pay for appeal lawyer

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes  No

If yes, how much? \_\_\_\_\_

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I've been incarcerated since August 29th 2019  
And I haven't had any income.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 23rd, 2025



(Signature)