

No. _____

In the
Supreme Court of the United States

TERRANCE CAREW

Petitioner,

v.

ROBERT MORTON

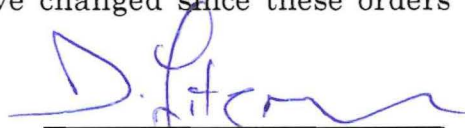
Respondent.

On Petition for a Writ of Certiorari
to the Court of Appeals for the Second Circuit

MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

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

Petitioner was previously granted leave to proceed *in forma pauperis* in the New York Appellate Division, Second Department, as well as the United States District Court for the Eastern District of New York. That status continued in the Court of Appeals for the Second Circuit under Fed. R. App. P. 24. A copy of the orders granting *in forma pauperis* relief are attached. Petitioner remains incarcerated, and I have no reason to believe that his financial circumstances have changed since these orders were granted.



David Fitzmaurice
Counsel of Record
January 12, 2026

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

TERRRANCE CAREW,

Petitioner,

v.

ROBERT MORTON,

Respondent.

ORDER TO SHOW CAUSE
20-CV-02480 (MKB)

MARGO K. BRODIE, U.S.D.J.

Upon the petition for issuance of a writ of habeas corpus pursuant to 28 U.S.C. 2254, dated 6/3/2020, a copy of which is annexed, it is hereby ORDERED that:

(1) petitioner is granted leave to proceed in forma pauperis;

(2) the Attorney General of the State of New York or, the District Attorney of Queens County, as attorney for respondent, show cause before this Court by the filing of a return to the petition, why a writ of habeas corpus should not be issued;

(3) on or before 10/14/2020, respondent shall serve and file his opposition papers and shall file the original with proof of service with the Clerk of this Court;

(4) respondent shall submit the transcript of the trial to this Court at the time of filing the opposition papers via hard copies labeled courtesy copy and include a disc copy (where the file(s) within the disc shall not exceed 5 megabytes each, the attachments shall also not exceed 5 megabytes each), and also file the original transcript of the trial via ECF;

(5) respondent shall in every case, without exception, submit copies of petitioner's and the District Attorney's briefs on appeal or in connection with proceedings pursuant to C.P.L. 440 at the time of filing the opposition papers;

(6) reply papers, if any, shall be served and filed by the petitioner, within twenty (20) days of receipt of the respondent's opposition papers and shall file his reply, if any, with the Clerk of this Court; and

(7) service of a copy of this Order to Show Cause shall be made by the Clerk of this Court, together with a copy of the petition, to the Attorney General of the State of New York, 120 Broadway, New York, New York 10271, and the District Attorney of Queens County, and by mailing a copy of this order to the petitioner.

SO ORDERED:

s/ MKB
MARGO K. BRODIE,
United States District Judge

DATED: Brooklyn, New York
August 20, 2020

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M210288
V/

RANDALL T. ENG, P.J.
WILLIAM F. MASTRO
REINALDO E. RIVERA
MARK C. DILLON
RUTH C. BALKIN, JJ.

2015-12252

The People, etc., respondent,
v Terrance Carew, appellant.

DECISION & ORDER ON MOTION
Motion for Poor Person Relief
and to Assign Counsel

(Ind. No. 1080/14)

Motion by the appellant pro se for leave to prosecute an appeal from a judgment of the Supreme Court, Queens County, rendered December 7, 2015, as a poor person, and for the assignment of counsel.

Upon the papers filed in support of the motion and the papers filed in relation thereto,
it is

ORDERED that the motion is granted; and it is further,

ORDERED that the appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the appellant's and the respondent's briefs; the parties are directed to file nine copies of their respective briefs and to serve one copy on each other; and it is further,

ORDERED that the stenographer of the trial court is directed promptly to make, certify, and file two transcripts of the proceedings of any pretrial hearings, of the plea of guilty or of the trial, and of the imposition of sentence in this action, except for those minutes previously transcribed and certified (*see* 22 NYCRR 671.9); and it is further,

ORDERED that in the event that the case was tried to a conclusion before a jury, the stenographer shall also make, certify, and file two transcripts of the minutes of proceedings during jury selection; and it is further,

ORDERED that the Clerk of the trial court shall furnish one certified transcript of each of the proceedings set forth above to the appellant's counsel, without charge (*see* CPL 460.70); assigned counsel is directed to turn over those transcripts to the respondent when counsel serves the appellant's brief on the respondent; and it is further,

ORDERED that in the event the stenographer has already prepared a copy of any of

April 25, 2016

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the minutes for a codefendant, then the Clerk of the trial court is directed to reproduce a copy thereof for assigned counsel; and it is further,

ORDERED that upon service of a copy of this decision and order on motion upon it, the Department of Probation is hereby authorized and directed to provide assigned counsel with a copy of the presentence report prepared in connection with the appellant's sentencing, including the recommendation sheet and any prior reports on the appellant which are incorporated in or referred to in the report; and it is further,

ORDERED that in the event an issue as to the legality, propriety, or excessiveness of the sentence is raised on appeal, or if assigned counsel cites or relies upon the probation report in a brief or motion in any other way, counsel shall provide a complete copy of such report and any attachments to the Court and the District Attorney's office prior to the filing of such brief or motion; and it is further,

ORDERED that pursuant to County Law § 722 the following named attorney is assigned as counsel to prosecute the appeal:

Lynn W. L. Fahey, Esq.
Appellate Advocates
111 John Street - 9th Floor
New York, New York 10038

and it is further,

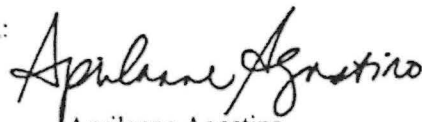
ORDERED that the appellant's time to perfect the appeal is enlarged; assigned counsel shall prosecute the appeal expeditiously in accordance with this Court's rules (*see* 22 NYCRR 670.1, *et seq.*) and written directions; and it is further,

ORDERED that in the event the file has been sealed, it is hereby unsealed for the limited purpose of allowing assigned counsel or his or her representative access to the record for the purpose of preparing the appeal; such access shall include permission to copy the papers insofar as they pertain to the appellant; and it is further,

ORDERED that assigned counsel is directed to serve a copy of this decision and order on motion upon the clerk of the court from which the appeal is taken.

ENG, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

Appellant's Address:
15-A-5034
Five Points Corr. Fac.
Caller Box 20
Romulus, NY 14541

April 25, 2016

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