

COPY

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

JUAN JOSE ZARATE SANCHEZ - PETITIONER

vs.

THE STATE OF TEXAS - RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO
THE COURT OF APPEALS, THIRTEENTH JUDICIAL DISTRICT,

CORPUS CHRISTI, TEXAS

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

DAVID ALAN DISHER, ATTORNEY FOR THE PETITIONER, SBC # 05895600,

A MEMBER OF THE BAR OF THIS COURT, BAR # 174348

1167 FM 2144, SCHULENBURG, TEXAS, 78956

TELEPHONE NUMBER: 409-370-5003

To the Honorable Justices of the Supreme Court of the United States:

Juan Jose Zarate Sanchez, the petitioner in the above-captioned matter, respectfully moves this Court for leave to proceed in forma pauperis pursuant to Rule 39 of the Rules of the Supreme Court of the United States. In support of this motion, the petitioner states as follows:

Statement of the Case

Background: Juan Jose Zarate Sanchez is the petitioner in this case, seeking review of the decision upholding Petitioner's conviction of Unlawful Manufacture or Delivery of Controlled Substance in Penalty Group 1 (Greater Than or Equal to 4 Grams but Less Than 200 Grams), rendered by the Court of Appeals, Thirteenth Judicial District, Corpus Christi, Texas

August 21, 2025.

The case involves a decision by the Court of Appeals, Thirteenth Judicial District, Corpus Christi, Texas has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power. The Court of Appeals, Thirteenth Judicial District, Corpus Christi, Texas allowed the State's burden of proof to be less than beyond a reasonable doubt by permitting the jury panel to be committed to certain facts during voir dire in violation of Standifer v. State, 59 S.W.3d 177 (Tex. Crim. App. 2001).

Procedural History: The petitioner has exhausted all available remedies in the lower courts, culminating in the decision by the Texas Court of Last Resort, Court of Criminal Appeals of

Texas, on November 6, 2025, refusing Petitioner's Petition for Discretionary Review. The petitioner now seeks review by this Honorable Court.

Jurisdiction: This Court has jurisdiction over this matter because David Disher was appointed to represent Petitioner, an indigent person, April 24, 2024, on appeal pursuant to Tex. Code Crim. Pro. Ann. art. 26.05. The order of appointment is attached hereto.

Inability to Pay Court Fees: Due to his financial circumstances, the petitioner is unable to pay the costs associated with filing and pursuing this case in the Supreme Court. The petitioner has previously been granted in forma pauperis status in the lower courts, demonstrating his ongoing financial hardship.

Legal Arguments

Precedent: The Supreme Court has consistently recognized the importance of allowing indigent litigants to access the judicial system without the burden of prohibitive costs. In *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331 (1948), the Court held that a litigant need not be absolutely destitute to qualify for in forma pauperis status, but must demonstrate an inability to pay the costs of litigation.

Public Interest: Granting this motion serves the public interest by ensuring that all individuals, regardless of financial status, have the opportunity to seek justice and have their cases heard by the highest court in the land.

Conclusion

For the foregoing reasons, the petitioner respectfully requests that this Court grant motion to proceed in forma pauperis, allowing him to pursue his petition for a writ of certiorari without the burden of court fees or attorney fees.

Respectfully submitted,

/s/ David Alan Disher

David Alan Disher, Pro Bono, TBC# 05895600,

A member of the Bar of this Court, Bar# 174348

Attorney for Juan Jose Zarate Sanchez, **Petitioner**

1167 FM 2144, Schulenburg, Texas 78956

Telephone Number: 409-370-5003

e-mail address: disherdave@aol.com

ORDER OF ATTORNEY APPOINTMENT

STATE OF TEXAS VS JUAN JOSE SANCHEZ SR	& & 377th District Court OF Victoria County, TEXAS
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Offense(s)

Date	Offense	Court	Cause	Complaint	MTR/ MTA	Appeal
07/06/23	MAN DEL CS PG 1 >=4G<200G (F1)	377th District Court	23-11-34777-D	APPEAL	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Defendant

Name	JUAN JOSE SANCHEZ SR	
Local Id	87296	
Date of Birth	9/14/1977	
Phone	361-703-6456	
Cell Phone	361-308-0898	Indigency Status:
Address	PO BOX 71 3159 CR 313	Full
City, State Zip	LA SALLE, Texas 77969	
E-mail		
Gender	Male	
Race	White	
Custody Location	Victoria County Jail	

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Appointed Attorney

Name	DAVID DISHER
Phone	979-263-5174
Fax	
Address	1167 FM 2144
City, State Zip	Schulenburg, Texas 78956
E-Mail	

The above attorney is appointed to represent the defendant in the above matter until: charges are dismissed; the defendant is acquitted; judgment is final, including any appeals of the 1st right (if appropriate) are exhausted; or the attorney is permitted or ordered by the court to withdraw.

Attorney appointed from the County Approved Attorney Wheel and is the next attorney qualified to represent the defendant.

DEF SENTENCED ON 4/24/24 TO TDCJ. CURRENTLY IN VCSO JAIL WAITING TRANSFER.

Court Appointed Designee

Date

Time

NORA KUCERA

4/24/2024

2:54 PM