

No.

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2025

JIMMY SPENCER,

Petitioner,

v.

STATE OF ALABAMA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE ALABAMA COURT OF CRIMINAL APPEALS

MOTION TO PROCEED *IN FORMA PAUPERIS*

Petitioner Jimmy Spencer, pursuant to Rule 39 of the Rules of the Supreme Court of the United States, respectfully requests leave to file the attached Petition for Writ of Certiorari to the Alabama Court of Criminal Appeals without prepayment of costs and to proceed *in forma pauperis*. Petitioner was declared indigent prior to his trial and proceeded *in forma pauperis* in all prior proceedings in state court. Counsel was appointed to represent Mr. Spencer on the appeal of his capital conviction and death sentence, (R. 1729), pursuant to Ala. Code § 15-12-22. *See* Sup. Ct. R. 39(1).

For these reasons, Mr. Spencer respectfully requests that this Court grant him leave to proceed *in forma pauperis* in this Court.

Respectfully Submitted,

/s/ Angela L. Setzer

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January 16, 2025

*Counsel of Record for Petitioner
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