

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

GREGORY LIVINGSTON, PETITIONER

VS.

STATE OF TENNESSEE, RESPONDENT

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner, through his counsel, Barry W. Kuhn, Assistant Shelby County Public Defender, asks leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the Shelby County Criminal Court and in the Tennessee Court of Criminal Appeals. A copy of the order appointing the public defender to represent the petitioner is attached to this motion.

Respectfully submitted,

/s/ Barry W. Kuhn

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