

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner Omar Johnson moves for leave to proceed *in forma pauperis*, and to file the enclosed Petition for a Writ of Certiorari.

On June 8, 2023, Petitioner was granted, under New York County Law § 722, leave to so proceed in the Supreme Court of the State of New York, Appellate Division, First Judicial Department. On September 12, 2024, Petitioner was granted leave to so proceed in the Court of Appeals of New York. A copy of both orders is attached hereto.

RESPECTFULLY SUBMITTED on February 23, 2026.



By: \_\_\_\_\_

MATTHEW BOVA  
CENTER FOR APPELLATE LITIGATION  
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**Supreme Court of the State of New York**  
**Appellate Division, First Judicial Department**

Present – Hon. Dianne T. Renwick,  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Troy K. Webber  
Cynthia S. Kern,

Acting Presiding Justice,  
  
  
  
Justices.

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The People of the State of New York,  
Respondent,  
  
-against-

Motion No. **2023-01823**  
Ind. No. 73320/22  
Case No. 2023-01900

Omar Johnson,  
Defendant-Appellant.

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Defendant having moved, pursuant to CPL 380.55(2), for leave to prosecute, as a poor person, the appeal taken to this Court from a judgment of the Supreme Court, Bronx County, rendered on or about March 28, 2023, for the assignment of counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent that the appeal shall be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files with this Court an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Jenay Nurse Guilford, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York, 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby extended until 180 days from the date of receipt of the complete record.

ENTERED: June 08, 2023



Susanna Molina Rojas  
Clerk of the Court

# *State of New York*

## *Court of Appeals*

*Decided and Entered on the  
twelfth day of September, 2024*

**Present**, Hon. Rowan D. Wilson, *Chief Judge, presiding.*

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Mo. No. 2024-629  
The People &c.,  
Respondent,  
v.  
Omar Johnson,  
Appellant.

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Appellant having moved for the assignment of counsel;

Upon the papers filed and due deliberation, it is

ORDERED, that the motion is granted and the following is assigned as counsel to the appellant on this appeal: Jenay Nurse Guilford, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, NY 10005.



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Heather Davis  
Deputy Clerk of the Court