

No. 25-7055

FILED
JAN 10 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Otis McKane — PETITIONER
(Your Name)

VS.

State of Texas — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: _____

_____, or

a copy of the order of appointment is appended.

Otis McKane

(Signature)

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SUPREME COURT, U.S.

XII. Statement of the Case

Provide a **concise** statement of the case containing the facts material to the consideration of the question(s) presented; you should summarize the relevant facts of the case and the proceedings that took place in the lower courts. You may need to attach additional pages, but the statement should be concise and limited to the relevant facts of the case.

XIII. Reasons for Granting the Petition

The purpose of this section of the petition is to explain to the Court why it should grant certiorari. It is important to read Rule 10 and address what compelling reasons exist for the exercise of the Court's discretionary jurisdiction. Try to show not only why the decision of the lower court may be erroneous, but the national importance of having the Supreme Court decide the question involved. It is important to show whether the decision of the court that decided your case is in conflict with the decisions of another appellate court; the importance of the case not only to you but to others similarly situated; and the ways the decision of the lower court in your case was erroneous. You will need to attach additional pages, but the reasons should be as concise as possible, consistent with the purpose of this section of the petition.

XIV. Conclusion

Enter your name and the date that you submit the petition.

XV. Proof of Service

You must serve a copy of your petition on counsel for respondent(s) as required by Rule 29. If you serve the petition by first-class mail or by third-party commercial carrier, you may use the enclosed proof of service form. If the United States or any department, office, agency, officer, or employee thereof is a party, you must serve the Solicitor General of the United States, Room 5614, Department of Justice, 950 Pennsylvania Ave., N.W., Washington, D. C. 20530-0001. The lower courts that ruled on your case are not parties and need not be served with a copy of the petition. The proof of service may be in the form of a declaration pursuant to 28 U. S. C. § 1746.

AP-77,103

FILED IN
COURT OF CRIMINAL APPEALS
JANUARY 13, 2022
DEANA WILLIAMSON, CLERK

NO. 2017CR1505

STATE OF TEXAS

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§
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§
§

N THE DISTRICT COURT

V.

379TH JUDICIAL DISTRICT

OTIS TYRONE MCKANE

BEXAR COUNTY, TEXAS

ORDER APPOINTING APPELLATE COUNSEL

The court, in accordance with Article 26.04(f) or 26.052, Code of Criminal Procedure, hereby appoints **MICHAEL GROSS**; SBN 08534480, to represent, OTIS TYRONE MCKANE defendant in the above-styled and numbered cause.

Such representation shall continue until all appeals are exhausted, or until relieved by the court or replaced by other counsel.

The Clerk of the Court shall notify the attorney of record via email; facsimile or by hand delivery of the Order.

Signed this 18TH day of August, 2021.



JUDGE PRESIDING