

No:___

**IN THE
SUPREME COURT OF THE UNITED STATES**

MICHAEL ANTHONY CRIST,

Petitioner,

v.

FLORIDA,

Respondent.

**ON PETITION FOR WRIT OF CERTIORARI TO THE
FLORIDA SUPREME COURT**

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

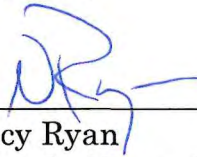
The petitioner asks leave, pursuant to Rule 39, to proceed *in forma pauperis*.

Petitioner has previously been found indigent by the Circuit Court, Fifth Judicial Circuit, in and for Sumter County, Florida. That court's order declaring defendant indigent is attached. (Appendix A)

The Circuit Court's Order Appointing the Public Defender's Office for the Purpose of Appeal is attached hereto. (Appendix B)

The petitioner has been incarcerated without interruption since the charges were first brought.

MATTHEW J. METZ
PUBLIC DEFENDER
SEVENTH JUDICIAL CIRCUIT OF
FLORIDA

/s/  _____

Nancy Ryan
Counsel of Record
Assistant Public Defender
Florida Bar No. 0765910
444 Seabreeze Blvd., Suite 210
Daytona Beach, Florida 32118
(386) 254-3758
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*MEMBER OF THE UNITED
STATES SUPREME COURT BAR

APPENDIX A

IN THE CIRCUIT/COUNTY COURT OF THE _____ JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

STATE OF FLORIDA vs.

Crist, Michael
Defendant/Minor Child

CASE NO. 2019 CF 1352

APPLICATION FOR CRIMINAL INDIGENT STATUS

I AM SEEKING THE APPOINTMENT OF THE PUBLIC DEFENDER OR

I HAVE A PRIVATE ATTORNEY OR AM SELF-REPRESENTED AND SEEK DETERMINATION OF INDIGENCE STATUS FOR COSTS

Notice to Applicant: The provision of a public defender/court appointed lawyer and costs/due process services are not free. A judgment and lien may be imposed against all real or personal property you own to pay for legal and other services provided on your behalf or on behalf of the person for whom you are making this application. There is a \$50.00 fee for each application filed. If the application fee is not paid to the Clerk of the Court within 7 days, it will be added to any costs that may be assessed against you at the conclusion of this case. If you are a parent/guardian making this affidavit on behalf of a minor or tax-dependent adult, the information contained in this application must include your income and assets.

1. I have dependents. (Do not include children not living at home and do not include a working spouse or yourself.)
2. I have a take home income of \$ 500 paid weekly bi-weekly semi-monthly monthly yearly
(Take home income equals salary, wages, bonuses, commissions, allowances, overtime, tips and similar payments, minus deductions required by law and other court ordered support payments)

3. I have other income paid weekly bi-weekly semi-monthly monthly yearly: (Circle "Yes" and fill in the amount if you have this kind of income, otherwise circle "No.")

Social Security benefits	Yes \$ _____	<input type="checkbox"/> No	Veterans' benefit	Yes \$ _____	<input type="checkbox"/> No
Unemployment compensation	Yes \$ _____	<input type="checkbox"/> No	Child support or other regular support from	Yes \$ _____	<input type="checkbox"/> No
Union funds	Yes \$ _____	<input type="checkbox"/> No	family members/spouse	Yes \$ _____	<input type="checkbox"/> No
Workers compensation	Yes \$ _____	<input type="checkbox"/> No	Rental income	Yes \$ _____	<input type="checkbox"/> No
Retirement/pensions	Yes \$ _____	<input type="checkbox"/> No	Dividends or interest	Yes \$ _____	<input type="checkbox"/> No
Trusts or gifts	Yes \$ _____	<input type="checkbox"/> No	Other kinds of income not on the list	Yes \$ _____	<input type="checkbox"/> No

4. I have other assets: (Circle "yes" and fill in the value of the property, otherwise circle "No")

Cash	Yes \$ <u>20.00</u>	<input type="checkbox"/> No	Savings	Yes \$ _____	<input type="checkbox"/> No
Bank account(s)	Yes \$ <u>300.00</u>	<input type="checkbox"/> No	Stocks/bonds	Yes \$ _____	<input type="checkbox"/> No
Certificates of deposit or money market accounts	Yes \$ _____	<input type="checkbox"/> No	*Equity in homestead real estate	Yes \$ _____	<input type="checkbox"/> No
*Equity in motor vehicles	Yes \$ <u>2,000</u>	<input type="checkbox"/> No	*Equity in non-homestead real estate	Yes \$ _____	<input type="checkbox"/> No
*Equity in boats/other tangible property	Yes \$ <u>1,000</u>	<input type="checkbox"/> No	*include expectancy of an interest in such property	Yes \$ _____	<input type="checkbox"/> No

5. I have a total amount of liabilities and debts in the amount of \$ 0

6. I receive: (Circle "Yes" or "No.")

Temporary Assistance for Needy Families- Cash Assistance	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Poverty-related veterans' benefits	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		Supplemental Security Income (SSI)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

7. I have been released on bail in the amount of \$ 0 Cash Surety Posted by: Self Family Other

A person who knowingly provides false information to the clerk or the court in seeking a determination of indigent status under s. 27.52, F.S. commits a misdemeanor of the first degree, punishable as provided in s. 775.082, F.S. or s. 775.083, F.S. I attest that the information I have provided on this Application is true and accurate.

Signed on 10/29/19
Year 1975
Last four digits of Driver's License or ID Number _____

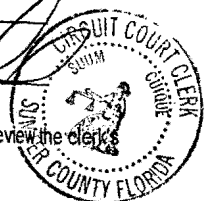
Signature of applicant for indigent status: [Signature]
Print full legal name: Michael Crist
Address: 4460 NW 30th Blvd
City, State, Zip: Lake Park, Fla 32537
Phone number: 461-1800
E-mail Address: None

CLERK DETERMINATION

Based on the information in this Application, I have determined the applicant to be Indigent Not Indigent
The Public Defender is hereby appointed to the case listed above until relieved by the Court.

Dated this 29 day of November, 2019

This form was completed with the assistance of:

Clerk of the Circuit Court, by Deputy Clerk
[Signature]
Clerk/Deputy Clerk/Other authorized person


APPLICANTS FOUND NOT INDIGENT MAY SEEK REVIEW BY ASKING FOR A HEARING TIME. Sign here if you want the judge to review the clerk's decision of not indigent.

APPENDIX B

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR SUMTER COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO: 2019-CF-1352

vs.

MICHAEL ANTHONY CRIST,
Defendant.

2022 DEC 12 PM 12:44
CLERK OF CIRCUIT COURT
SUMTER COUNTY, FLA.

**ORDER GRANTING DEFENDANT'S MOTION FOR INDIGENCY AND
APPOINTMENT OF PUBLIC DEFENDER FOR THE PURPOSE OF APPEAL**

THIS CAUSE having come before the Court on the Defendant's motion to find defendant indigent and for the appointment of the office of the public defender for purpose of appeal, and the Court having reviewed the file, finds that Defendant's counsel has filed a notice of appeal, statement of judicial acts to be reviewed and a designation to the court reporter regarding transcripts. The court finds that the Defendant is indigent. Being advised in the premises, it is

ORDERED AND ADJUDGED as follows:

1. That the Defendant's motion to be declared indigent and for the appointment of the public defender for purposes of appeal is hereby GRANTED.
2. That the Defendant is determined indigent for the purposes of appeal and shall proceed without the necessity of paying costs.
3. Defendant's counsel, Michael Barbarette, is hereby relieved of further responsibility in this cause.

DONE AND ORDERED in Bushnell, Sumter County, Florida, on this 12th day of December 2022.



Mary P. Hatcher
Circuit Judge

RECEIVED, 12/14/2022 03:50:30 PM, Clerk, Fifth District Court of Appeal

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished
to defense counsel Michael Barbarette, Assistant State Attorney Dan Geraghty, the Office of
the Public Defender, and the Fifth District Court of Appeal on this 14th day of December 2022.
via courthouse mail
→ 5538-A NW 43rd St. Gainesville, FL. 32653
via courthouse mail

Nicole Sargent
Deputy Clerk

