

IN THE  
**Supreme Court of the United States**

J.D.B.,  
*Petitioner,*  
v.  
STATE OF WISCONSIN,  
*Respondent.*

\_\_\_\_\_  
On Petition for a Writ of Certiorari  
to the Supreme Court of Wisconsin  
\_\_\_\_\_

**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

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Petitioner, J.D.B., by counsel, Lucas Swank, respectfully moves the court to enter an order permitting him to proceed *in forma pauperis*. As grounds for, and in support of his motion, petitioner states as follows:

J.D.B. was found indigent by the Wisconsin State Public Defender, and proceeded with public defender appointed counsel in state trial and appellate court proceedings.<sup>1</sup>

Pursuant to United States Supreme Court Rule 39.1, J.D.B. has attached the Order Appointing Counsel<sup>2</sup> reflecting that he was appointed counsel for appellate proceedings in this matter, in lieu of a declaration or affidavit.

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<sup>1</sup> The Wisconsin State Public Defenders office is responsible for appointing counsel for indigent criminal defendants in the Wisconsin state courts. Wis. Stat. §§ 977.06; 977.07.

<sup>2</sup> J.D.B.'s name has been redacted from the Order Appointing Counsel, for the reasons explained on page iii n.1 of the petition.

WHEREFORE, for all the reasons herein, petitioner respectfully requests that he be permitted to proceed *in forma pauperis* in this action.

Dated this 22nd day of May, 2026.

*Electronically signed by Lucas Swank*

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Lucas Swank

*Counsel of Record*

Wisconsin State Public Defenders

17 S. Fairchild Street

Madison, WI 53707-7862

(608) 266-3440

swankl@opd.wi.gov

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STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY

STATE OF WISCONSIN

Plaintiff,

v.

Case No. 22CF3407

J. [REDACTED] D B [REDACTED]

23AP000715

Defendant.

STATE PUBLIC DEFENDER - ORDER APPOINTING COUNSEL

<b>Name:</b>	J. [REDACTED] D B [REDACTED]	<b>SPD Case No:</b>	234003177Z
<b>DOC #:</b>		<b>SPD File No:</b>	23S-40-L-E03177
<b>Date of Birth:</b>	[REDACTED]/2002	<b>Case Group #:</b>	2912635

**Nature of Case:** 51.61 Right to refuse medication 1 Cnts:  
 971.14 Competency Proceedings 1 Cnts:

**Other Information**

**Judge:** Childs L., Milton  
**Record Created:** April 26, 2023  
**Judgment Entered:** April 24, 2023  
**Type:** Non-Final Order:

In accordance with Chapter 977 of the Wisconsin statutes, I hereby appoint the following attorney to represent the above named individual in relation to the above entitled proceedings.

<b>Attorney's Name:</b>	Lucas Swank	<b>State Bar No:</b>	1103010
<b>Address:</b>	17 S FAIRCHILD FL 3 PO BOX 7862 Madison, WI 53707 7862	<b>Attorney Telephone:</b>	(608) 267-5177
<b>Attorney Email Address:</b>	swankl@opd.wi.gov	<b>Attorney Fax Number:</b>	(608) 264-8563
<b>Appointed By:</b>	Joseph N. Ehmann	<b>Date Appointed:</b>	April 26, 2023
<b>SPD Office Handling:</b>	Madison	<b>Supervisor ID:</b>	1016411
		<b>SPD Office Phone:</b>	(608) 266 3440

**Dated:**  
April 26, 2023

**Office of the State Public Defender - Notice to Clients - File Retention Policy**

When an attorney represents an individual, s/he makes and keeps a file of the documents and work done on the case. Attorneys on staff with the Office of the State Public Defender (SPD) create and maintain such files for each case. This notice applies only to cases handled by staff attorneys of the Office of the State Public Defender. If your case has been assigned to a private attorney, please consult that attorney about his or her file retention policy.

Upon the conclusion of the representation in this case, the SPD will, upon your request, deliver the original file or any portion requested, to you, along with any of your original documents or other property that the SPD has in its possession.

If you do not request your file, the SPD will retain it for a period of at least five years after the matter is closed. At any point during this period, you may request delivery of the file. If you do not request the file before the end of the five-year period, the SPD may, in its discretion, destroy the file and its contents without further notice to you.