

No. __-____

In The
Supreme Court of the United States

DAMIAN BUCK

Petitioner,

v.

STATE OF MISSISSIPPI,

Respondent

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner, Damian Buck, asks for leave to file the attached Petition for Writ of Certiorari to the Court of Appeals of Mississippi without prepayment of costs and to proceed *in forma pauperis*. Petitioner was found to be indigent by the Circuit Court of Sunflower County, Mississippi and appointed the Indigent Appeals Division of the Mississippi Office of the State Public Defender for direct appeal. Pursuant to Supreme Court Rule 39, the documentation confirming this is attached to this motion.

Respectfully submitted, this the 22nd day of May 2026,

/s/ Stacy Ferraro
Stacy Ferraro
Counsel of record
Office of the State Public Defender
Indigent Appeals Division
239 N. Lamar Street, Suite 701
Jackson MS 39201
sferraro@ospd.ms.gov
(601) 576-4207

Counsel for Applicant/Petitioner Damian Buck

IN THE CIRCUIT COURT OF SUNFLOWER COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

V.

CASE NO. 2019-0074

DAMIAN BUCK

ORDER

CAME ON to be heard on the motion of **Walter H. Zinn, Jr.**, counsel for Defendant, to withdraw and for appointment of appellate counsel and for authority to proceed on appeal *in forma pauperis*, and the court having considered the same finds that said motion is well taken and orders as follow, to-wit:

1. Said defendant, who has been convicted of Manslaughter with Firearm Enhancement. For the Manslaughter conviction, Defendant was sentenced to serve a term of twenty (20) years in the custody of the Mississippi Department of Correction: Fifteen (15) years to serve followed by five (5) years Post Release Supervision under the direction of the Mississippi Department of Corrections Probation and Parole Office. For the Firearm Enhancement, the Defendant was sentenced to five (5) years in the custody of the Mississippi Department of Corrections to run concurrent with the Manslaughter conviction. Defendant is now without income or funds and is hereby found to be indigent and is authorized to proceed on appeal *in forma pauperis* pursuant to MRAP Rule 6.

2. Counsel, Walter H. Zinn, Jr., who was only retained to represent the Defendant at trial but not to perfect an appeal be and is hereby authorized to withdraw from further representation of defendant.

3. The court appoints the Indigent Appeals Division of the Office of State Public Defender to represent said defendant in the appeal of this case.

4. Defendant be authorized to file appeal out of time within thirty days of the order entered on this motion pursuant to MRAP Rule 4 (g).

5. The Circuit Clerk is ordered to immediately mail a copy of this order to Director, Indigent Appeal Division, P. O. Box 3510, Jackson MS 39207.

SO ORDERED AND ADJUDGED this the 20th day of December 2023.

MARGARET CAREY-McCRAY
CIRCUIT JUDGE

FILED

DEC 27 2023

CAROLYN P. HAMILTON
BY [Signature] D.C.

MB 210
Pg 833-834

STATE OF MISSISSIPPI, COUNTY OF SUNFLOWER

I, Carolyn P. Hamilton, Clerk of the Circuit Court in and for said County and State hereby certify that the foregoing contains a whole, true and correct copy of notice of appeal as the same appears on file in my office at Indianola, Miss.

Witness my hand and Official Seal,
this the 19th day of Aug A.D. 20 24

Carolyn P. Hamilton
Clerk of the Circuit Court of Sunflower County, Miss.
By [Signature]

