

No. _____

IN THE
Supreme Court of the United States

STACEY IAN HUMPHREYS,
PETITIONER,

v.

GEORGIA BOARD OF PARDONS AND PAROLES, ET AL,
RESPONDENTS.

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE SUPREME COURT OF GEORGIA*

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

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**Counsel of record*

Attorneys for Petitioner

COMES NOW Petitioner, Stacey Ian Humphreys, by and through his undersigned counsel, and, pursuant to Rule 39 of the Rules of the Supreme Court of the United States, moves this Court for an Order granting him leave to proceed *in forma pauperis*, and without prepayment of fees. In support thereof, Petitioner shows the following:

1) Mr. Humphreys has been confined under a sentence of death at the Georgia Diagnostic and Classification Prison in Jackson, Georgia since 2007. He was permitted to proceed as an indigent without payment of costs and fees throughout the state court mandamus proceedings below. He was also previously permitted to proceed as an indigent throughout the federal habeas corpus proceedings challenging his convictions and death sentence.

2) Mr. Humphreys remains indigent and files herewith a Petition for a Writ of Certiorari from this Court to the Supreme Court of Georgia. After filing an application for a commutation of his death sentence with the Georgia Board of Pardons and Paroles, Mr. Humphreys learned that some members of the Board labored under conflicts of interest with respect to his case. When the Board indicated that it would decide his application with the conflicted members participating, Mr. Humphreys petitioned for mandamus in the Superior Court of Fulton County seeking an order removing and replacing the conflicted members. The court ruled that one Board member was legally bound to recuse from hearing Mr. Humphreys's clemency application as a result of her conflict of interest, but that the Board could decide the application with fewer than five members participating, something that it had never done. Mr. Humphreys filed an application to appeal in the Supreme

Court of Georgia, alleging that a four-member Board violates his rights under the state and federal constitutions, but the court declined to intervene. The Petition for a Writ of Certiorari therefore presents questions of the reach of Due Process and Equal Protection in the context of executive clemency proceedings that decide a prisoner's entitlement to commutation.

3) The orders of the Superior Court of Fulton County, Georgia and of the United States District Court for the Northern District of Georgia finding Mr. Humphreys to be indigent are attached as Attachment A and Attachment B, respectively.

WHEREFORE, Petitioner respectfully requests that this Court grant his motion and allow Petitioner to proceed *in forma pauperis* and without prepayment of costs.

Respectfully submitted, this the 28th day of July, 2026.

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Attachment

A

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Attachment B

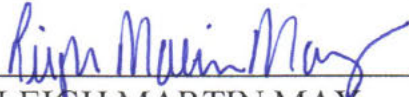
**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

STACEY IAN HUMPHREYS,	:	
Petitioner,	:	CIVIL ACTION NO.
	:	1:18-CV-2534-LMM
v.	:	
	:	DEATH PENALTY
ERIC SELLERS,	:	HABEAS CORPUS
Respondent.	:	

ORDER

For good cause shown, Petitioner's motion to proceed in forma pauperis, [Doc. 2], and his motion for appointment of counsel, [Doc. 3], are **GRANTED**. Pursuant to 18 U.S.C. § 3599(a)(2), the capital habeas unit of the Federal Defender Program, Inc., together with the law firm of Troutman Sanders LLP are hereby **APPOINTED** to represent Petitioner.

IT IS SO ORDERED, this 30th day of May, 2018.



LEIGH MARTIN MAY
UNITED STATES DISTRICT JUDGE