

No.

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 2025

WILLIAM SHAUN WALKER,

Petitioner,

-v-

STATE OF NORTH CAROLINA,

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner, William Shaun Walker, by and through his undersigned counsel, asks leave to file the attached petition for writ of certiorari to the Supreme Court of North Carolina without repayment of fees and costs, and to proceed *in forma pauperis*, pursuant to Rule 39 of the Rules of this Court.

Pursuant to N.C. Gen. Stat. § 7A-451, the courts below appointed counsel for Mr. Walker, who is indigent. The order appointing counsel is attached hereto as Exhibit A.

Respectfully submitted, this the 13th day of August, 2026.

/s/David W. Andrews
DAVID W. ANDREWS*
Assistant Appellate Defender
David.W.Andrews@nccourts.org

GLENN GERDING
Appellate Defender
Glenn.Gerding@nccourts.org

Office of the Appellate Defender
123 West Main Street, Suite 500
Durham, North Carolina 27701
(919) 354-7210

**Counsel of Record*

EXHIBIT A

NOV 27 2023

STATE OF NORTH CAROLINA _____ STOKES County		File No.(s) 97CRS 4409 Additional File No.(s) 97CRS 4410; 97CRS 4411 In The General Court Of Justice ☐ District ☒ Superior Court Division	
FILED			
STATE VERSUS		APPELLATE ENTRIES	
Name Of Defendant WILLIAM SHAUN WALKER		2023 NOV 20 P 4: 02	
Date(s) Of Trial (list all dates, from start to end) 10/11/2023, 10/12/2023, 10/13/2023 11/20/2023		STOKES CO. C.S.C.	
Codefendant(s) If Tried Jointly BY		Rules 7, 9, 11, and 27 of the N.C. Rules of Appellate Procedure	
Name And Address Of Trial Prosecutor STOKES CO DA'S OFFICE TIM WATSON & QUENTIN HARRIS PO BOX 179 DANBURY, NC 27016		Name And Address Of Defendant's Trial Counsel NC PRISONER LEGAL SERVICES LAUREN MILLER PO BOX 253987 RALEIGH, NC 27611	
Telephone No. 336-593-4450	Email Address tim.r.watson@nccourts.org	Telephone No. 919-865-4803	Email Address lmiller@ncpls.org
Name And Address Of Trial Transcriptionist TERRY MILLS PO BOX 1328 DOBSON, NC 27017 10/11/2023-10/13/2023		Name And Address Of Defendant's Trial Counsel	
Telephone No. 704-668-9521	Email Address terrymills@bellsouth.net	Telephone No.	Email Address
Name And Address Of Trial Transcriptionist GRACE A LENGMUELLER PO BOX 2434 HIGH POINT, NC 27261 11/20/2023		Name And Address Of Defendant's Appellate Counsel ☒ The Appellate Defender T: (919) 354-7210 F: (919) 354-7211 123 W. Main Street, Suite 500, Durham, NC 27701 NOTE: All indigent appeals are assigned to the Appellate Defender. ☐ Retained Appellate Counsel	
Telephone No. 336-822-6820	Email Address grace.a.lengmueller@nccourts.org	Telephone No.	Email Address
Name And Address Of Transcriptionist Of Other Proceedings On The Following Date(s)		Name And Address Of Transcriptionist Of Other Proceedings On The Following Date(s)	
Date(s)		Date(s)	
Telephone No.		Telephone No.	
Email Address		Email Address	

(Attach additional sheet(s) if necessary)

JUDGE'S INITIAL APPEAL ENTRIES

1. ☒ a. The defendant has given Notice of Appeal to the N.C. Court of Appeals, or
☐ b. This is a capital case appealable as of right to the N.C. Supreme Court.
2. Release of the defendant pursuant to G.S. 15A-536 is ☒ denied. ☐ allowed upon execution of a secured bond in the amount of \$ _____ and compliance with the following additional conditions: _____
3. If not found indigent in No. 4, below, the defendant shall be responsible for ordering a transcript of any proceeding that the defendant considers necessary for the appeal, as provided in Rule 7(b) of the N.C. Rules of Appellate Procedure.
- ☒ 4. **(NOTE: Check in all cases where defendant is indigent.)** The defendant is indigent and has requested a transcript and the appointment of counsel. It is ORDERED that the defendant is allowed to appeal as an indigent and:
 - a. The Office of Indigent Defense Services shall pay the costs of producing a transcript, and of reproducing the record and the defendant's brief.

Original-File Copy-Transcriptionist(s) Copy-Defendant's Trial Counsel Copy-Defendant's Appellate Counsel (or Defendant if unrepresented)
 Copy-Appellate Defender's Office (if Office is not appointed as defendant's appellate counsel) Copy-District Attorney
 Material opposite unmarked squares is to be disregarded as surplusage.

(Over)

JUDGE'S INITIAL APPEAL ENTRIES (continued)

- b. The Appellate Defender is appointed to perfect the defendant's appeal or assign other appellate counsel pursuant to rules issued by the Office of Indigent Defense Services.
- c. Upon request, the Clerk shall furnish to the Appellate Defender, or to alternate counsel designated by the Appellate Defender, a copy of the complete trial division file in the case and, upon request, any documentary exhibits.
5. If a transcript has been ordered, the defendant in a non-capitally tried case shall serve a proposed record on appeal on the State within 45 days after all of the transcripts that have been ordered are delivered. If a transcript has been ordered, the defendant in a capitally tried case shall serve a proposed record on appeal on the State within 70 days after all of the transcripts that have been ordered are delivered. If no transcript has been ordered, the defendant shall serve a proposed record on appeal on the State within 45 days after the last notice of appeal is filed or given.
6. The State shall serve its amendments, objections or proposed alternative record on appeal on the defendant within 30 days if this is a non-capital case or 35 days if this is a capital case, after service upon it of the defendant's proposed record on appeal.
- ☐ 7. The indigent defendant does not read or speak the English language, but reads and/or speaks his or her native language of _____ . The Court therefore authorizes the services of a language translator or interpreter during the pendency of the appeal for the purposes of (1) written translation of attorney-client correspondence, proposed issues in the settled record on appeal, appellate briefs filed by the defendant and the State, and appellate opinion(s), and/or (2) verbal interpretation of attorney-client communication at each critical stage of the appellate proceedings. The Court further Orders that a language translator or interpreter with the necessary knowledge, skill, experience, training and education to perform the above services shall be selected and paid by the Administrative Office of the Courts.
8. If the defendant has been found indigent in No. 4, above, the Clerk shall serve a copy of these Appellate Entries on counsel for all parties, or the defendant if not represented by counsel, and on each transcriptionist, no later than 14 days after the date of the judge's signature immediately below.
9. In all cases, a copy of these Appellate Entries should be delivered to the Appellate Defender's Office.

Date 11/20/2023	Name Of Judge (type or print) R STUART ALBRIGHT	Signature Of Judge <i>R. Stuart Albright</i>
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CLERK'S TRANSCRIPT ORDER AND CERTIFICATE

- ☒ 1. (if defendant is found indigent in No. 4) The undersigned Orders that the transcriptionist(s) named on Side One shall prepare and deliver to the parties a transcript of all portions of the proceedings in the above-captioned case, within the deadline set out in Rule 7(e)(1) of the N.C. Rules of Appellate Procedure. The undersigned certifies that a copy of these Appellate Entries was served on counsel for all parties, or the defendant if not represented by counsel, and on each transcriptionist, and that a copy was delivered to the Appellate Defender's Office, if the Office has not been appointed as the defendant's appellate counsel, on the date(s) shown below:
- ☐ personally. ☒ by mail to the listed recipients at the addresses shown on Side One. *by email*
- ☐ 2. (if defendant is not found indigent in No. 4) The undersigned certifies that a copy of these Appellate Entries was delivered to the Appellate Defender's Office on the date shown below.

Date Clerk's Transcript Order Entered And Filed 11-20-23	Date Order Served, If Different	Date Order Delivered, If Different
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Name Of Clerk (type or print) Brandy Robertson	Signature Of Clerk <i>Brandy Robertson</i>	☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court
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EXTENSION OF TIME TO DELIVER TRANSCRIPT OR SERVE RECORD

- ☐ 1. **Extension of time to deliver transcript:** Pursuant to Rule 27(c)(1), N.C. Rules of Appellate Procedure, upon motion of the appellant and for good cause shown, it is ORDERED that the time for delivery of the transcript is extended for 30 days.
- ☐ 2. **Extension of time to serve proposed record on appeal:** Pursuant to Rules 11 and 27, N.C. Rules of Appellate Procedure, upon motion of the appellant and for good cause shown, it is ORDERED that the time for service of the proposed record on appeal is extended for 30 days.
- NOTE:** Pursuant to Rule 27(c)(1), N.C. Rules of Appellate Procedure, the trial court may grant only one extension each of the deadline for delivery of a transcript and the deadline for service of the proposed record on appeal. Any motion for an additional extension of either deadline must be made to the appellate court to which appeal has been taken.

Date	Name Of Judge (type or print)	Signature Of Judge
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TRANSCRIPTIONIST'S CERTIFICATE OF DELIVERY

I delivered the transcript, made up of _____ pages in _____ volumes, electronically to all of the parties described above

☐ except as to the following party(ies) who are not able to receive electronic delivery, where I have instead delivered the transcript

☐ personally ☐ by mail: _____ (name party(ies) not receiving transcript electronically).

Date Transcript Delivered To Parties	Name Of Transcriptionist	Signature Of Transcriptionist
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CLERK'S CERTIFICATION

I certify this Appellate Entries form is a true and complete copy of the original on file in this case.

Date 11/20/23	Signature And Seal <i>Brandy Robertson</i>	☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court
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STATE OF NORTH CAROLINA,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon Ms. Heidi Williams, Special Deputy Attorney General, North Carolina Department of Justice, Post Office Box 629, Raleigh, North Carolina 27602, by first-class mail, postage prepaid, and was electronically served upon Ms. Heidi Williams, Special Deputy Attorney General, at hwilliams@ncdoj.gov.

Respectfully submitted, this the 13th day of August, 2026.

/s/David W. Andrews

DAVID ANDREWS*

Assistant Appellate Defender

David.W.Andrews@nccourts.org

GLENN GERDING

Appellate Defender

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**Counsel of Record*