

No. _____

In the Supreme Court of the United States

In re Jamaal Howard,
Petitioner

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

This is a capital case. Mr. Howard is scheduled to be executed
on Wednesday, October 7, 2026, after 6:00 p.m.

Petitioner Jamaal Howard asks leave to file the accompanying petition for an original writ of habeas corpus without prepayment of costs and to proceed in forma pauperis. Howard is indigent, and he has proceeded in forma pauperis in the courts below.

The United States Court of Appeals for the Fifth Circuit appointed undersigned counsel to represent Howard under 18 U.S.C. § 3599. Accordingly, no affidavit or declaration is required. Sup. Ct. R. 39.1.

Howard respectfully asks the Court to permit him to proceed in this Court in forma pauperis.

Respectfully submitted,

/s/ Don Bailey

Don Bailey*
Texas Bar No. 01520480
309 North Willow
Sherman, Texas 75090
Tel. (903) 892-9185
Email donbailey46@hotmail.com

/s/ Jeffrey R. Newberry

Jeffrey R. Newberry
Texas Bar No. 24060966
University of Houston Law Center
4170 Martin Luther King Blvd.
Houston, Texas 77204-6060
Tel. (713) 743-6843
Fax (832) 842-4671
Email jrnewber@central.uh.edu

**Counsel of Record, Member of the Supreme Court Bar*