

No. 26-_____
(CAPITAL CASE)

IN THE
Supreme Court of the United States

CLARANCE ROZELL GOODE, JR., PETITIONER,

V.

STATE OF OKLAHOMA, RESPONDENT.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE OKLAHOMA COURT OF CRIMINAL APPEALS

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner Clarence Rozell Goode, Jr., by and through undersigned counsel, respectfully moves this Court for leave to file the attached Petition for a Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis* pursuant to Supreme Court Rule 39.

Petitioner's affidavit or declaration is **not** attached because counsel of record has been appointed pursuant to 18 U.S.C. § 3599. ECF 3, *Goode v. Workman*, No. CIV-11-0150-GKF-FHM (N.D. Okla. Mar. 17, 2011). That appointment includes pursuing this litigation. *See Harbison v. Bell*, 556 U.S.180 (2009). Mr. Goode was determined to be indigent and appointed counsel on that basis in the underlying

conviction as well as the related appeal, and post-conviction proceedings pursuant to state law. *See* 22 Okla. Stat. § 1355 et seq.

Respectfully submitted,

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OCTOBER 9, 2026

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