CAPITAL CASE

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

ROBERT WOODALL

Petitioner,

v.

COMMONWEATLTH OF KENTUCKY

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner, Robert Woodall, asks leave to file the attached Petition for a Writ of Certiorari to the Sixth Circuit Court of Appeals without prepayment of costs and to proceed *in forma pauperis* pursuant to Rule 39. Woodall previously sought and was appointed counsel in the Sixth Circuit Court of Appeals[1] under 18 U.S.C. §3599.

Accordingly, Petitioner Robert Woodall requests that he be granted leave to proceed before this court *in forma pauperis*.

[1] Mr. Woodall was represented by appointed counsel based upon his financial status throughout the litigation of his case in both state and federal court.

Respectfully submitted,

/s/ Dennis J. Burke

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