No. _____

In the Supreme Court of the United States

November Term 2026

REINALDO DENNES,

Petitioner,

v.

THE STATE OF TEXAS

Respondent.

On Petition for Writ of Certiorari to the Texas Court of Criminal Appeals

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MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

MAUREEN FRANCO
Federal Public Defender
Western District of Texas

Kathryn Wood Hutchinson
Supervisor, Capital Habeas Unit

DONNA F. COLTHARP*
Assistant Federal Public Defenders
919 Congress Avenue, Suite 950
Austin, Texas 78701
(737) 207-3008
donna_coltharp@fd.org
*Counsel of Record

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to Rule 39 of the Rules of the Supreme Court of the United States, Petitioner Reinaldo Dennes asks leave to file the accompanying Petition for Writ of Certiorari to the Texas Court of Criminal Appeals without payment of costs and to proceed in forma pauperis. In support of the request, Petitioner states the following:

1. The Petition for Writ of Certiorari in the form prescribed by Rule 14 of the Rules of this Court, with an Appendix attached, is submitted for filing along with this Motion.

2. Petitioner has previously been granted leave to proceed in forma pauperis in the following courts:

   The United States Court of Appeals for the Fifth Circuit (17-70010)

   The United States District Court for the Southern District of Texas (No. 4:14-cv-00019)

3. Counsel was appointed to represent Petitioner pursuant to 18 U.S.C. § 3599(a)(2) on July 6, 2026.

4. Petitioner's affidavit or declaration is not attached because Petitioner received appointed counsel under 18 U.S.C. § 3599.

Respectfully submitted this 18th day of November 2026,

/s/ Donna Coltharp
*DONNA COLTHARP
Assistant Federal Public Defender
Office of the Federal Public Defender
Western District of Texas
919 Congress Ave., Suite 950
Austin, Texas 78701
737-207-3017 (tel.)
Donna_Coltharp@fd.org
*Counsel of Record

United States District Court
Southern District of Texas
ENTERED
July 06, 2026
Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

REINALDO DENNES, Petitioner,	§	
vs.	§	H-14-0019
ERIC GUERRERO, Director, Texas Department of Criminal Justice Correctional Institutions Division, Respondent.	§	

ORDER

Petitioner filed a motion for appointment of co-counsel to help represent him in any further post-conviction proceedings. The motion is unopposed. Accordingly,

It is ORDERED that Petitioner's Unopposed Motion To Appoint Co-Counsel (Doc. # 47) is **GRANTED**. The Federal Public Defender for the Western District of Texas Capital Habeas Unit is appointed as co-counsel for the petitioner.

SIGNED at Houston, Texas, on this 6th day of July, 2026.

SIM LAKE
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

REINALDO DENNES,	§	
	§	
Petitioner,	§	
v.	§	
	§	
	§	
WILLIAM STEPHENS,	§	CIVIL ACTION NO. H-14-0019
Director, Texas Department of	§	
Criminal Justice, Correctional	§	
Institutions Division,	§	
	§	
Respondent.	§	

ORDER

Petitioner Reinaldo Dennes is a death row inmate, currently in the custody of the Texas Department of Criminal Justice. He and his state habeas counsel have each filed a motion for the appointment of counsel to assist Dennes in this habeas corpus proceeding.

Title 18 U.S.C. § 3599(a)(2) provides for appointment of one or more attorneys in a habeas corpus proceeding when the petitioner is financially unable to obtain adequate representation on his own. Dennes has not submitted proof that he is unable to afford counsel. Rather than further delay this time-sensitive proceeding, however, the court will appoint counsel conditioned on Dennes filing the necessary proof of indigency within 30 days.

Accordingly,

IT IS **ORDERED** THAT Dennes's Motions For Appointment of Counsel (Docket Entry Nos. 1 and 2) are **GRANTED**;

IT IS FURTHER **ORDERED** THAT Kenneth W. McGuire, Esq., Post Office Box 79535, Houston, TX 77279, (713) 223-1558, is conditionally appointed to represent Dennes in this habeas corpus proceeding;

IT IS FURTHER **ORDERED** THAT this appointment will be withdrawn unless Dennes submits proof of indigency within 30 days of the date of this Order.

Appointed counsel for Dennes will confer with the Attorney General of Texas and submit a proposed scheduling order by February 14, 2014.

SO ORDERED.

SIGNED at Houston, Texas, on this 13th day of January, 2014.

SIM LAKE
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

REINALDO DENNES,	§	
	§	
Petitioner	§	
	§	
vs.	§	**CIVIL ACTION NO. H-14-0019**
	§	
WILLIAM STEPHENS,	§	
Director, Texas Department of Criminal	§	
Justice, Institutional Division,	§	
	§	
Respondent	§	

NOTICE OF FILING OF AFFIDAVIT OF INDIGENCY

TO THE HONORABLE SIM LAKE, UNITED STATES DISTRICT JUDGE:

Petitioner Reinaldo Dennes hereby files his Affidavit of Indigency, pursuant to the Court's Order dated January 13th, 2014.

Dated: February 5th, 2014

Respectfully submitted,

BY: /s/ *Ken McGuire*

Kenneth W. McGuire
Federal Admission No. 21917
State Bar No. 00798361
P.O. Box 79535
Houston, TX 77279
Telephone: (713) 223-1558
Facsimile: (713) 335-3340

ATTORNEYS for PETITIONER
REINALDO DENNES

CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading was served on the Attorney General for the State of Texas, Counsel for Respondent, by ECF / fax / first class mail service to:

Edward Marshall
Office of the Attorney General
Capital Litigation Division
Capitol Station
P.O. Box 12548
Austin, TX 78711-2548
Phone: 512-936-1600
Fax: 512-320-8132
edward.marshall@texasattorneygeneral.gov

Dated: February 5th, 2014.

/s/ *Ken McGuire*
Kenneth McGuire

CJA 23
(Rev. 11/11)

FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT, OR OTHER SERVICES WITHOUT PAYMENT OF FEE

IN THE UNITED STATES ☑ DISTRICT COURT ☐ COURT OF APPEALS ☐ OTHER *(Specify below)*

IN THE CASE OF
Reinaldo Dennes v. William Stephens,
Director, Texas Department of Criminal Justice

FOR
28 U.S.C. 2254 Proceedings-Appointment of Counsel

AT
Southern District of Texas, Houston Division

LOCATION NUMBER

PERSON REPRESENTED *(Show your full name)*
Reinaldo Dennes, Petitioner

1 ☐ Defendant - Adult
2 ☐ Defendant - Juvenile
3 ☐ Appellant
4 ☐ Probation Violator
5 ☐ Supervised Release Violator
5 ☑ Habeas Petitioner
7 ☐ 2255 Petitioner
8 ☐ Material Witness
9 ☐ Other *(Specify)*

DOCKET NUMBERS
Magistrate Judge:
District Court: 4:14-cv-00019
Court of Appeals:

CHARGE/OFFENSE *(describe if applicable & check box →)*
Capital Murder-State offense
☑ Felony ☐ Misdemeanor

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

INCOME & ASSETS

EMPLOYMENT

Are you now employed? ☐ Yes ☑ No ☐ Self-Employed
Name and address of employer: N/A
IF YES, how much do you earn per month? $ NO
IF NO, give month and year of last employment? 1-1996
How much did you earn per month? $ 10,000
If married, is your spouse employed? ☑ Yes ☐ No I'VE BEEN seperated for 10 yrs
IF YES, how much does your spouse earn per month? $ UNknown
If you are a minor under age 21, what is the approximate monthly income of your parent(s) or guardian(s)? $

OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☒ No

	RECEIVED	SOURCES
IF YES, give the amount received and identify the sources	$	
	$	
	$	

CASH

Do you have any cash on hand or money in savings or checking accounts? ☐ Yes ☒ No **IF YES,** total amount? $

PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ No

	VALUE	DESCRIPTION
IF YES, give value and description for each	$	
	$	
	$	
	$	

OBLIGATIONS & DEBTS

DEPENDENTS

MARITAL STATUS
___ Single
___ Married
___ Widowed
X Separated or Divorced

Total No. of Dependents:

List persons you actually support and your relationship to them: NONE.

DEBTS & MONTHLY BILLS *(Rent, utilities, loans, charge accounts, etc.)*

DESCRIPTION	TOTAL DEBT	MONTHLY PAYMENT
NONE	$	$
	$	$
	$	$
	$	$

I certify under penalty of perjury that the foregoing is true and correct.

Reinaldo Dennes 999248
SIGNATURE OF DEFENDANT *(OR PERSON REPRESENTED)*

2-4-14
Date