No.

IN THE SUPREME COURT OF THE UNITED STATES

GARY EDWARD CLANTON, PETITIONER,

v.

STATE OF FLORIDA, RESPONDENT.

PETITIONER'S MOTION TO PROCEED IN FORMA PAUPERIS

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COMES NOW Petitioner, Gary Edward Clanton, and moves this Court, pursuant to Rule 39.1, Rules of the Supreme Court, to declare him indigent and allow him to proceed *in forma pauperis* in this cause, in particular to waive any filing fees. As grounds therefore, Petitioner says:

1. Petitioner applies for a writ of certiorari to review the decision of the Fourth District Court of Appeal of Florida affirming his conviction and 25-year prison sentence.

2. On January 13, 2025, Petitioner was declared an indigent party, and the Office of Criminal Conflict and Civil Regional Counsel was appointed to represent him on appeal until the appellate record was transmitted to the Fourth District Court of Appeal. *See* Fla. Stat. §§ 27.511, 27.52 (2024). On February 3, 2025, after the record on appeal was filed, the Office of Criminal Conflict and Civil Regional Counsel designated the Public Defender for the Fifteenth Judicial Circuit to represent Petitioner on appeal. Fla. Stat. § 27.511(9).

3. Petitioner was convicted of attempted second-degree murder and was sentenced to 25 years in prison; he is indigent; and he has no funds with which to pay any fees or costs in this action.

4. Federal law requires all courts of the United States to allow commencement and prosecution of any suit without prepayment of fees or costs upon the showing made above. 28 U. S. C. § 1915(a).

5. Refusal to allow Petitioner to proceed *in forma pauperis* would deny him equal protection of the law, meaningful access to the courts, and due process of the law since he cannot otherwise get the review to which a more affluent petitioner would be entitled. *See Burns v. Ohio*, 360 U. S. 252 (1959).

WHEREFORE, Petitioner moves that this Court declare him indigent and allow him to file and prosecute his petition without the payment of any fees or costs.

Respectfully Submitted,

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