

No. 18-380

In the Supreme Court of the United States

Darrel Vannoy, Warden, Petitioner

v.

John David Floyd

On Petition for a Writ of Certiorari
to the
United States Court of Appeals for the Fifth Circuit

**Motion for Leave to Proceed In Forma Pauperis
of
John David Floyd**

EMILY MAW
RICHARD DAVIS
[Lead Counsel to be Noticed]
Innocence Project New Orleans
4051 Ulloa Street
New Orleans, LA 70119
(504) 943-1902
emilym@ip-no.org
richardd@ip-no.org

Counsel for John David Floyd

Motion for Leave to Proceed In Forma Pauperis of John David Floyd

Introduction

Comes now John Floyd, by and through counsel, and moves for leave to proceed *in forma pauperis* pursuant to Rule 39 of the Rules of the Supreme Court of the United States. In support of this motion, he states as follows:

1. Mr. Floyd is a sixty-nine year old man who is intellectually disabled. Between January 19, 1981, and June 22, 2017, Mr. Floyd was continuously incarcerated by the State of Louisiana. On June 22, 2017, Mr. Floyd was released from prison pursuant to Rule 23 of the Federal Rules of Appellate Procedure.
2. Mr. Floyd was found indigent prior to his 1982 trial. He was represented by an attorney from the Orleans Indigent Defender Board at his trial and during direct appeal proceedings.
3. Since his conviction was affirmed, Mr. Floyd has never been able to afford post-conviction counsel.
4. Mr. Floyd is currently represented by Innocence Project New Orleans (IPNO). IPNO is a 501(c)(3) non-profit law office that litigates provable claims of factual innocence. IPNO only represents clients who cannot afford counsel. IPNO has never charged Mr. Floyd for any services provided to him. IPNO has represented Mr. Floyd since 2004.
5. Mr. Floyd lives in donated accommodation. He supports himself with his earnings from performing manual labor. Apart from a small amount of money in his savings account, he has no assets. His financial situation is described in the attached affidavit and accompanying additional page.

Wherefore, Mr. Floyd moves that he be granted leave to proceed *in forma pauperis*.

Respectfully submitted:

/s Richard Davis

Richard Davis

EMILY MAW

RICHARD DAVIS

[*Lead Counsel to be Noticed*]

Innocence Project New Orleans

4051 Ulloa Street

New Orleans, LA 70119

(504) 943-1902

emilym@ip-no.org

richardd@ip-no.org

Counsel for John David Floyd