

*** CAPITAL CASE ***

In the Supreme Court of the United States

October Term 2022

No.

LORENZO NEWBORN

Petitioner,

v.

THE STATE OF CALIFORNIA

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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Petitioner, Lorenzo Newborn, through his attorney, Eric S. Multhaup, hereby moves pursuant to Supreme Court Rule 39.1 for leave to proceed in forma pauperis before this Court.

As demonstrated by the attached order appointing Eric Multhaup by the Supreme Court of California, petitioner has been represented by appointed counsel throughout the proceedings below and remains without sufficient funds to afford counsel or payment of costs.

Wherefore, petitioner respectfully prays that an order be entered granting him leave to proceed *in forma pauperis*.

Date: June 23, 2002

By:

eric s. multhaup
Eric S. Multhaup
Counsel of Record for Petitioner
Lorenzo Newborn

DECLARATION OF COUNSEL

I, Eric S. Multhaup, declare that I am an attorney admitted to practice in this Court. I was appointed by the Supreme Court of California to represent petitioner in his automatic appeal from the judgment of death.

Petitioner is in custody and does not have the financial ability to afford an attorney on this petition to the United States Supreme Court for a writ of certiorari.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 23, 2022 at Mill Valley, California.

eric s. multhaup

Eric S. Multhaup
Counsel of Record for Petitioner
Lorenzo Newborn

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Frederick K. Ohlrich Clerk

DEPUTY

IN THE SUPREME COURT OF CALIFORNIA

En Banc

THE PEOPLE, Respondent,

v.

KARL DARNELL HOLMES et al., Appellants.

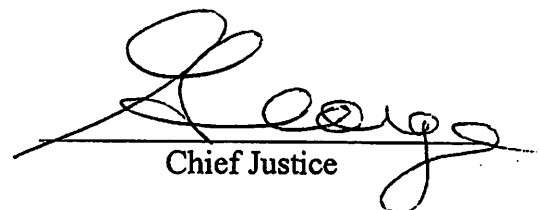
Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant Lorenzo Alex Newborn, filed October 23, 2003 (supporting declaration filed Nov. 3, 2003), is granted.

The order appointing Thomas Kallay as appellate counsel of record for appellant Lorenzo Alex Newborn, filed September 26, 2001, is hereby vacated.

Eric S. Multhaup is hereby appointed as counsel of record to represent appellant Lorenzo Alex Newborn for the direct appeal in the above automatic appeal now pending in this court.

Thomas Kallay is directed to deliver to Eric S. Multhaup, within 30 days from the filing of this order, his copy of the record on appeal in *People v. Holmes, McLain and Newborn*, and all appellate and habeas corpus work product on behalf of appellant Newborn. Mr. Kallay also is directed to deliver to Mr. Multhaup, within 30 days from the filing of this order, all trial files, reports and related materials that he has obtained from trial counsel, paralegals, experts and investigators, or from any other source.

Brown, J., was absent and did not participate.


Chief Justice