

No. _____

IN THE
Supreme Court of the United States

DUANE E. OWEN,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

*On Petition for a Writ of Certiorari to the
Supreme Court of Florida*

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

**THIS IS A CAPITAL CASE
WITH AN EXECUTION SCHEDULED FOR
THURSDAY, JUNE 15, 2023, AT 6:00 PM**

Petitioner, DUANE E. OWEN, by and through undersigned counsel, asks leave of this Court, pursuant to Supreme Court Rule 39, to proceed *in forma pauperis* without prepayment of costs in connection with his application for a stay of execution and petition for a writ of certiorari. Owen is an indigent prisoner on Florida's death row with a scheduled execution on June 15, 2023, at 6:00 p.m.

Owen has previously been granted leave to proceed *in forma pauperis* in this

Court; the Fifteenth Judicial Circuit Court, in and for Palm Beach County, Florida; the Supreme Court of Florida; the United States District Court for the Southern District of Florida; and the United States Court of Appeals for the Eleventh Circuit.

Counsel of record for Owen, the Law Office of the Capital Collateral Regional Counsel – Middle Region, was appointed to represent Owen by the Florida Supreme Court under section 27.710 of the Florida Statutes for state proceedings and under the Criminal Justice Act of 1964, 18 U.S.C. § 3006A for federal proceedings.

Pursuant to Supreme Court Rule 39, Owen respectfully requests that he be allowed to proceed *in forma pauperis*.

Respectfully submitted,

/s/ Lisa M. Fusaro

Lisa M. Fusaro*

**Counsel of Record*

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June 12, 2023

Dated