

No. \_\_\_\_\_

In the Supreme Court of the United States

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STEPHEN MICHAEL WEST,  
*Petitioner,*

v.

GAYLE RAY, in her official capacity as Tennessee's  
Commissioner of Correction, *et al.*,  
*Respondents.*

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MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Execution Scheduled for 10 p.m. CST on November 9, 2010

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CERTIFICATE OF SERVICE


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I, Stephen M. Kissinger, do swear or declare that on the 5th day of November, 2010, as required by Supreme Court Rule 29, I have served the enclosed MOTION LEAVE TO PROCEED *IN FORMA PAUPERIS* on each party to the above proceeding or that party's counsel, and on every other person required to be served by sending via electronic mail and overnight third party commercial carrier. The names and addresses of those served are as follows:

Mark Hudson  
Office of Attorney General and Reporter  
425 Fifth Ave. N.  
Nashville, TN 37243  
Telephone: (615) 741-3226  
Email: [Mark.Hudson@ag.tn.gov](mailto:Mark.Hudson@ag.tn.gov)

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

Executed on November 5, 2010.

  
\_\_\_\_\_  
Stephen M. Kissinger

No. \_\_\_\_\_

In the Supreme Court of the United States

STEPHEN MICHAEL WEST,

Petitioner,

V.

GAYLE RAY, et al.,

Respondent.

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

**MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

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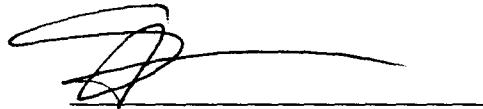
*Counsel of record for Petitioner*

Comes the Petitioner, Stephen Michael West, and asks leave to file the attached petition for writ of certiorari without prepaying of costs and to proceed *in forma pauperis*.

Petitioner has previously been granted leave under 28 U.S.C. § 1915 to proceed *in forma pauperis* in the following courts:

- (1) The United States Court of Appeals for the Sixth Circuit, and
- (2) The United States District Court for the Middle District of Tennessee.

Petitioner's trust account statement in support of this motion is attached hereto.



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*Counsel of record for Petitioner*