

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

STEVE HENLEY,

Petitioner,

vs.

RICKY BELL, Warden,

Respondent.

APPLICATION TO PROCEED *IN FORMA PAUPERIS*

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Paul R. Bottei
Office of the Federal
Public Defender
810 Broadway, Suite 200
Nashville, Tennessee 37203
(615)736-5047

Petitioner Steve Henley respectfully moves to proceed *in forma pauperis*. He was declared indigent in the District Court, which appointed him counsel under 28 U.S.C. §848 (now 18 U.S.C. §3599). The motion should be granted.

Respectfully Submitted,

/s/Paul R. Bottei
Paul R. Bottei
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Public Defender
810 Broadway, Suite 200
Nashville, Tennessee 37203
(615)736-5047

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing application to proceed in forma pauperis was served upon Elizabeth Ryan, Office of the Attorney General, 425 Fifth Avenue North, Nashville, Tennessee 37243 this 3rd day of February, 2009.

/s/Paul R. Botte