

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

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S.C. SUPREME COURT

STEPHEN C. STANKO)
)
) *Petitioner,*) NO. _____
)
) v.)
)
) BRYAN P. STIRLING, Commissioner,)
) South Carolina Department of Corrections,)
) and JOSEPH CANNING III, Warden,)
) Broad River Secure Facility.)
)
)
) _____ *Respondents.*)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner, Stephen C. Stanko, respectfully moves this Court for leave to proceed *in forma pauperis* in his federal habeas proceedings. Petitioner has been authorized to proceed in this manner in all prior proceedings before the courts of the State of South Carolina. Petitioner was granted leave to proceed *in forma pauperis* on November 19, 2019 in his previous federal habeas proceedings. *Stanko v. Stirling*, No. 1:19-cv-03257-RMG (ECF No. 11). He has remained incarcerated and indigent since that determination. Petitioner requests leave to supplement this motion with the Court’s Application to Proceed in District Court without Prepaying Fees or Costs as required by 28 U.S.C. § 1915.¹

[Signature block appears on the following page.]

¹ Undersigned counsel are in the process of obtaining a completed application form, but their other case deadlines and the Fourth of July holiday have hindered their ability to meet with Mr. Stanko in person for the purposes of completing that application. Nevertheless, as explained in the motion for appointment of counsel and stay of execution, counsel felt it important to file these initial pleadings in advance of the Supreme Court of South Carolina’s remittitur and issuance of an execution notice. *See* ECF No. 1.

Respectfully submitted,

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July 3, 2024.