

No. 17-_____

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 2017

MICHAEL LEDFORD,

Petitioner,

-v-

ERIC SELLERS, Warden
Georgia Diagnostic Prison,

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner MICHAEL LEDFORD, by and through his undersigned counsel, asks leave to file the attached Petition for Writ of Certiorari to the Supreme Court of Georgia without prepayment of fees and costs and to proceed *in forma pauperis*, pursuant to Rule 39 of the Rules of this Court.

Petitioner's Affidavit in support of this motion is attached hereto as Exhibit A.

This, the 13th day of November, 2017.



Brian S. Kammer (Ga. 406322)
Georgia Resource Center
303 Elizabeth Street, NE
Atlanta, Georgia 30307
404-222-9202
Fax: 404-222-9212

William A. Morrison
Georgia Bar. No. 525186
The Morrison Firm
50 Hurt Plaza
Suite 1110
Atlanta, GA 30303
(470) 444-9533

COUNSEL FOR MR. LEDFORD

EXHIBIT A

**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Michael Ledford, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Self-employment	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Gifts	\$ <u>N/A 15/month</u>	\$ _____	\$ _____	\$ _____
Alimony	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Child Support	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ <u>15.00</u>	\$ _____	\$ _____	\$ _____

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>N/A</u>	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>N/A</u>	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ _____
 Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
<u>N/A</u>	_____	\$ _____	\$ _____
<u>Georgia Dept. Prison</u>	<u>Prisoner account</u>	\$ <u>10.00</u>	\$ _____
_____	_____	\$ _____	\$ _____

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

- Home
 Value _____
- Other real estate
 Value _____
- Motor Vehicle #1
 Year, make & model _____
 Value _____
- Motor Vehicle #2
 Year, make & model _____
 Value _____
- Other assets
 Description _____
 Value _____

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>N/A</u>	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
<u>N/A</u>	_____	_____
_____	_____	_____
_____	_____	_____

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home) Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ <u>N/A</u>	\$ _____
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>N/A</u>	\$ _____
Home maintenance (repairs and upkeep)	\$ <u>N/A</u>	\$ _____
Food	\$ <u>N/A</u>	\$ _____
Clothing	\$ <u>N/A</u>	\$ _____
Laundry and dry-cleaning	\$ <u>N/A</u>	\$ _____
Medical and dental expenses	\$ <u>N/A</u>	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>N/A</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>N/A</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>N/A</u>	\$ _____
Life	\$ <u>N/A</u>	\$ _____
Health	\$ <u>N/A</u>	\$ _____
Motor Vehicle	\$ <u>N/A</u>	\$ _____
Other: _____	\$ <u>N/A</u>	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>N/A</u>	\$ _____
Installment payments		
Motor Vehicle	\$ <u>N/A</u>	\$ _____
Credit card(s)	\$ <u>N/A</u>	\$ _____
Department store(s)	\$ <u>N/A</u>	\$ _____
Other: _____	\$ <u>N/A</u>	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>N/A</u>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>N/A</u>	\$ _____
Other (specify): _____	\$ <u>N/A</u>	\$ _____
Total monthly expenses:	\$ <u>None</u>	\$ _____

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? Yes No

If yes, how much? _____

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes No

If yes, how much? _____

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I'm incarcerated and unemployed

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

Executed on: 11/09, 2017

Michael W. Leaford
(Signature)

THIS FORM IS TO BE COMPLETED ONLY BY AN AUTHORIZED INDIVIDUAL AT THE INSTITUTION WHERE THE INMATE PLAINTIFF IS PRESENTLY INCARCERATED, OR HIS/HER DESIGNEE.

CERTIFICATION

I hereby certify that the Plaintiff herein, Ledford, Michael #302689,
has an ~~average monthly~~ balance for the last ~~twelve (12)~~ months of \$ 10.00 on account at
the GDCP

_____ institution where confined. (If not confined for a full
twelve (12) months, specify the number of months confined. Then compute the average monthly balance
on that number of months.)

I further certify that Plaintiff likewise has the following securities according to the records of said
institution: NA

Nina Phue
Authorized Officer of Institution

11/9/17
Date

NOTE: Please attach a copy of the prisoner's inmate account of the last 12 months, or the period of incarceration (whichever is less).

Account Statement

LEDFORD, MICHAEL

Printed By:

PHILLIPS, TINA

GDC ID: 302689

Spendable Amount:	Reserved Amount	Receipts On Hold	Funds Balance	Obligations/Court Charges
\$0.00	\$10.00	\$0.00	\$10.00	\$0.89

RECEIPTS

Receipt Date	Transaction ID	Receipt Type	Receipt Details	Receipt Amount
10/17/2017	17385760	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 77522623	\$15.00
09/27/2017	17315691	JPAY DEPOSIT RECEIPT	JPAY - HART, KELLY - 76787250	\$110.00
09/16/2017	17276540	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 76424737	\$15.00
08/29/2017	17219536	JPAY DEPOSIT RECEIPT	JPAY - HART, KELLY - 75792210	\$110.00
08/16/2017	17177765	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 75396055	\$15.00
07/18/2017	17076693	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 74387341	\$15.00
06/14/2017	16958957	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 73218847	\$15.00
05/25/2017	16887073	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 72506412	\$15.00
05/24/2017	16884109	JPAY DEPOSIT RECEIPT	JPAY - HART, KELLY - 72480569	\$100.00
04/18/2017	16752568	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 71202389	\$15.00
03/16/2017	16635580	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 70027119	\$15.00
02/17/2017	16529265	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 68929236	\$15.00
01/14/2017	16413114	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 67731494	\$15.00
12/22/2016	16340843	JPAY DEPOSIT RECEIPT	JPAY - HART, KELLY - 66915543	\$100.00
12/22/2016	16340695	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 66907489	\$75.00
11/02/2016	16170964	JPAY DEPOSIT RECEIPT	JPAY - HART, KELLY - 64961439	\$40.00
09/27/2016	16049894	JPAY DEPOSIT RECEIPT	JPAY - HART, KELLY - 63646541	\$110.00
07/12/2016	15796966	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 60920601	\$15.00
06/16/2016	15715647	JPAY DEPOSIT RECEIPT	JPAY - HART, KELLY - 59992779	\$95.00
06/14/2016	15706438	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 59919080	\$15.00
05/11/2016	15594622	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 58698144	\$15.00
04/09/2016	15481133	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 57516205	\$15.00
03/24/2016	15421098	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 56885433	\$15.00
02/03/2016	15241756	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 54893738	\$15.00
01/16/2016	15179543	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 54273252	\$15.00
12/11/2015	15054561	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 52973096	\$15.00
11/16/2015	14962158	JPAY DEPOSIT RECEIPT	JPAY - HART, KELLY - 52065390	\$40.00
11/07/2015	14933384	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 51756912	\$15.00
10/09/2015	14837598	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 50737121	\$15.00
09/10/2015	14741169	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 49711769	\$15.00
08/12/2015	14639840	JPAY DEPOSIT RECEIPT	JPAY - DAVIS, MURPHY - 48767749	\$15.00
07/02/2015	14499819	BANK OF AMERICA RECEIPT	BOA-13683715 - 3867654	\$14.25
06/04/2015	14399410	BANK OF AMERICA RECEIPT	BOA-13681042 - 3830824	\$14.25

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CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the foregoing document this day by U.S. Mail, first-class postage prepaid, on counsel for Respondent at the following address:

Clint C. Malcolm
Assistant Attorney General
132 State Judicial Building
40 Capitol Square, S.W.
Atlanta, Georgia 30334-1300

This, the 13th day of November, 2017.



Attorney