

IN THE SUPREME COURT OF THE UNITED STATES

Gary Robinson  
(Petitioner),

)  
) Supreme Court of the  
) United States  
) No: \_\_\_\_\_

vs.

United States of America  
(Respondent).

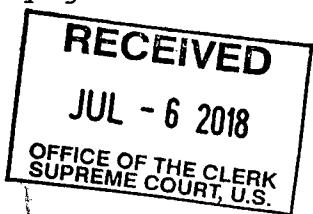
)  
) United States Court of  
) Appeals for the 4th Circuit  
) Appeal No: 17-7443

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

COMES NOW the Petitioner, Gary Robinson, Reg No. 40362-037, pro se  
to the Supreme Court of the United States to state:

1.) The Petitioner, Gary Robinson, moves for  
leave to file the accompanying Petition for a Writ of Certiorari  
to the United States Court of Appeals for the Fourth Circuit,  
without prepayment of fees or costs or giving security therefor,  
and to proceed in forma pauperis pursuant to the Rules of this  
Court and 28 U.S.C. § 1915.

2.) The United States District Court Maryland and the United  
States Court of Appeals for the Fourth Circuit previously granted  
the Petitioner in forma pauperis status in this matter.



3.) As per Rule 39, leave to proceed in forma pauperis was sought and obtained in the United States District Court Maryland Case Number: 1:15-cv-01532-WMN and in the United States Court of Appeals for the Fourth Circuit Case Number: No. 17-7443.

WHEREFORE, the Petitioner prays this Honorable Supreme Court shall grant his Motion for Leave to Proceed in Forma Pauperis without prepayment of costs, and any other relief which the Supreme Court deems just and proper to grant.

  
Gary Robinson Reg. No. 40362-037  
Federal Correctional Complex  
USP Coleman II  
P.O. Box 1034  
Coleman, FL 33521

CERTIFICATE OF SERVICE UNDER RULE 29.5(b)

I, the undersigned certify that an original and the required copies for a indigent pro se Petitioner was mailed by first class prepaid postage to the Office of the Clerk of the Supreme Court of the United States, #1 First Street, N.E. Washington, DC 20534, and one copy to the Solicitor General of the United States, Room 5614, Department of Justice, 950 Pennsylvania Ave, N.W. Washington, DC 20530-0001, and a true and correct copy to both parties as required.

executed on 29<sup>th</sup> day of June, 2018

  
(Petitioner)

IN THE SUPREME COURT OF THE UNITED STATES

Gary Robinson, )  
Plaintiff, )  
v. )  
United States of America, ) Case No.  
Defendant. )  
)

AFFIDAVIT ACCOMPANYING MOTION  
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS

**Affidavit in Support of Motion**

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed: G.R. #40362-037

**Instructions**

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: 6-29-2018

My issues on appeal are: by a defendant under the Fifth, Sixth and Fourteenth Amendments of the United States Constitution?

1. Whether a trial Attorney Can Constitutionally Stipulate Elements of a charged Crime over the expressed objections of the defendant?

2. Whether in this case, any error was waived by the defendant?

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	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Self-employment	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Income from real property (such as rental income)	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Interest and dividends	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Gifts	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Alimony	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Child support	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Retirement (such as social security, pensions, annuities, insurance)	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Disability (such as social security, insurance payments)	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Unemployment payments	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Public-assistance (such as welfare)	\$ Ø	\$ Ø	\$ Ø	\$ Ø
Other (specify):	\$ Ø	\$ Ø	\$ Ø	\$ Ø
<b>Total monthly income:</b>	<b>\$ Ø</b>	<b>\$ Ø</b>	<b>\$ Ø</b>	<b>\$ Ø</b>

2. List your 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
N/A	N/A	N/A	\$ Ø
			\$ Ø
			\$ Ø

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
N/A	N/A	N/A	\$ Ø
			\$ Ø
			\$ Ø

4. How much cash do you and your spouse have? \$ Ø

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
N/A	N/A	\$ Ø	\$ Ø
		\$ Ø	\$ Ø
		\$ Ø	\$ Ø

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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

Home	Other real estate	Motor vehicle #1
(Value) \$ Ø	(Value) \$ Ø	(Value) \$ Ø
N/A	N/A	Make and year:
		Model:
		Registration #:

Motor vehicle #2	Other assets	Other assets
(Value) \$ <i>0</i>	(Value) \$ <i>0</i>	(Value) \$ <i>0</i>
Make and year:	<i>N/A</i>	<i>N/A</i>
Model:	<i>N/A</i>	<i>N/A</i>
Registration #:	<i>N/A</i>	<i>N/A</i>

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
	\$ <i>0</i>	\$ <i>0</i>
<i>N/A</i>	\$ <i>0</i>	\$ <i>0</i>
	\$ <i>0</i>	\$ <i>0</i>
	\$ <i>0</i>	\$ <i>0</i>

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

Name [or, if under 18, initials only]	Relationship	Age
<i>N/A</i>	<i>N/A</i>	<i>N/A</i>

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, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <i>0</i>	\$ <i>0</i>
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Home maintenance (repairs and upkeep)	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Food	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Clothing	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Laundry and dry-cleaning	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Medical and dental expenses	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Transportation (not including motor vehicle payments)	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Recreation, entertainment, newspapers, magazines, etc.	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Life:	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Health:	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Motor vehicle:	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Other:	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Installment payments		
Motor Vehicle:	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Credit card (name):	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Department store (name):	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Other:	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Alimony, maintenance, and support paid to others	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
Other (specify):	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
<b>Total monthly expenses:</b>	<b>\$ <input type="text" value="0"/></b>	<b>\$ <input type="text" value="0"/></b>

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 spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit?  Yes  No

If yes, how much? \$ 0

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

Defendant have been incarcerated since 2002.

12. State the city and state of your legal residence. City: Coleman State: Florida

Your daytime phone number: 352-643-7000

33521

Your age: 43 Your years of schooling: 10<sup>th</sup> grade

Last four digits of your social-security number: 7636