

IN THE
SUPREME COURT OF THE UNITED STATES

ALBERT WILLIAM ROBERTS III,

)

Petitioner,

)

)

v.

)

Case No. _____

UNITED STATES OF AMERICA,

)

Respondent.

)

MOTION FOR LEAVE TO PROCEED IN *FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for *Writ of Certiorari* without prepayment and costs and to proceed in *Forma Pauperis*.

The petitioner had previously been granted leave to proceed in *Forma Pauperis* in the Appeals Court for the Eighth Circuit.



Albert William Roberts III
Federal I.D. 65631-112
USP Leavenworth Camp
P.O. Box 1000
Leavenworth, Kansas 66048

CERTIFICATE OF SERVICE

PETITIONER, Albert William Roberts III, hereby certifies that a copy of the Motion For Leave To Proceed on *Forma Pauperis* has been mailed to the Respondent, The United States of America and the Clerk of the Court for the Supreme Court of the United States and deposited in the U.S. Mail on this 6th day of July, 2018, and mailed to:

Solicitor General of the United States
Room 5614
Department of Justice
950 Pennsylvania Ave. NW
Washington, D.C. 20530-0001

Clerk of the Court
Supreme Court of the United States
One 1st Street NE
Washington, D.C. 20543-0001



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**PETITIONER'S AFFIDAVIT IN SUPPORT OF MOTION
FOR LEAVE TO APPEAR IN *FORMA PAUPERIS***

I DECLARE that I am the Petitioner in this case and that because of poverty, I am unable to pay the filing fee and believe that I am entitled to relief therein. I further state that I presented to the District Court For The Western District of Missouri my full and complete financial information as stated in full in my Pre-sentence Investigation Report and was appointed Public Defenders to represent me before the Court and before the Unites State Court of Appeals for the Eight Circuit. The Public Defenders did motion the Eighth Circuit to withdraw as counsel for myself and the motion was so ordered on 09 February 2018, and I was instructed to present my *pro se* petition for re-hearing by 09 March 2018, stating that my *pro se* motion for leave to appear in *forma pauperis* was moot because I already had IFP status.

I further state that I self-surrendered on March 28, 2017, and have been confined since that date at U.S.P Penitentiary Leavenworth, the address appearing below my signature on this document. I am convicted of four counts of wire fraud and was sentenced to 48 months imprisonment on 27 January 2017 with a final amended sentencing on 31 January 2017. (DCD 99, Amended Judgment, pg. 1)

My only employment is here at the Prison Camp in which I have earned total wages for 2018, through June 8, 2018, of \$98.80. Additionally I earn \$775.24 monthly from my teacher retirement of which the Government garnishes \$193.44 (DCD 126) monthly for the payment against my restitution. I do not receive Social Security while incarcerated.

My total 2018 expenditures for Commissary in Prison is \$47.13. My present commissary balance is less than \$100.00, to be documented by an authorized officer of U.S.P. Leavenworth, Officer Johnson. Any commissary balance will almost exclusively be used for weekly communication with my family and administration of their ongoing needs. My present checking account balance is approximately \$1200 of which \$1150 is pledged through outstanding checks/drafts to the outgoing expenses associated with the care of my two minor aged U.S. Citizen children residing in the Philippines. Over the course of 2018, through 15 June 2018, approximately \$4800 has gone directly to the care of my children and another \$1500 plus has gone to the administration of the same, with another \$600 or so going to incidental expenses associated with my ongoing appeals. The Bureau of Prisons has deducted \$50 so far in 2018 for further FRP restitution payments.

I have no gifts or inheritances pending. I hold no stocks, bonds, or real estate. I own a model 2000 Buick LeSabre that I paid \$1000 for on January 1, 2017. It may or may not have value since I am unable to know that information presently.

I have two minor aged dependents, William Bauyot Roberts, age 9 D.O.B. 02-27-2009, starting the 3rd grade, and his brother, Charles William Pon-an Roberts, age 5, D.O.B. 04-24-2013, starting kindergarten, both residing in Malolos, Bulacan, Philippines, and are largely in the care of a child caregiver (yaya) which I provide for. Charles has Primary Koch's requiring a 6 month course of treatment and is also diagnosed with a Thyroglossal Duct Cyst that is rapidly growing, representing ongoing extraordinary medical expenses of which I address as best I can. I also provide for Princess

Pro-an, mother to Charles, as she is unemployed. Robelyn Bauyot, mother of William, also receives periodic support from me but does have employment earning P50 per hour (current rate of exchange as of May 30, 2018, is \$1.00 equals P52.35) as a dialysis nurse.

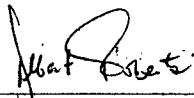
I DECLARE UNDER PENALY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. I UNDERSTAND THAT PROVIDING FALSE INFORMATION MAY SUBJECT ME TO CRIMINAL PROSECUTION, IMPOSITION OF A FINE, OR OTHER SANCTION THAT MAY ADVERSELY AFFECT MY ABILITY TO PURSUE THIS CASE OR OTHER CASES. I HAVE REVIEWED MY STATEMENT TO INSURE ITS ACCURACY.

CERTIFICATE OF SERVICE

PETITIONER, Albert William Roberts III, hereby certifies that a copy of the Petitioner's Affidavit in Support of Motion of Leave to Appear in *Forma Pauperis* has been mailed to the Respondent, The United States of America and the Clerk of the District Court for the Supreme Court of the United States and deposited in the U.S. Mail on this 15TH day of June, 2018, and mailed to:

Solicitor General of the United States
Room 5614
Department of Justice
950 Pennsylvania Ave. NW
Washington, D.C. 20530-0001

Clerk of the Court
Supreme Court of the United States
One 1st Street NE
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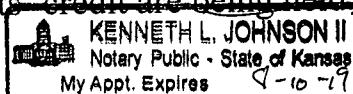

Albert William Roberts III
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USP Leavenworth Camp
P.O. Box 1000
Leavenworth, Kansas 66048

Duly executed on this 15th day of June, 2018

Albert William Roberts

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Before me appeared Albert William Roberts III, Petitioner, known to me as the same who set his hand to this document and I certify inmate Roberts, I.D. 65631-112, has presently \$68.63 in his prison commissary account and that I am a certified officer of the U.S.P. Leavenworth Camp in which Mr. Roberts is incarcerated. Prison records reflect no securities to Mr. Roberts' credit are being held by the Bureau of Prisons.



[Signature]

Notary Public Signature

Notary Seal

6/15/2018 Date

913 682 8700 Phone Number