

JUL 08 2018

OFFICE OF THE CLERK

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Tyler T. Heagy - PETITIONER

VS.

Commonwealth Of Pennsylvania - RESPONDENT

MOTION TO LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following courts:

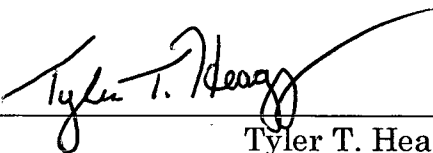
1. In the Court of Common Pleas of Lebanon County, Pennsylvania on February 27th, 2017.
2. In the Court of Common Pleas of Lebanon County, Pennsylvania on March 17th, 2016.
3. In the Court of Common Pleas of Lebanon County, Pennsylvania on or about April 23rd, 2014.

An Order issued granting the petitioner leave to file *In Forma Pauperis* appears at Appendix "A" to this Motion to Leave to Proceed *In Forma Pauperis*.

An Attorney's Certification of Indigent Status for Purposes of Appeal *In Forma Pauperis* appears at Appendix "B" to this Motion to Leave to Proceed *In Forma Pauperis*.

A Verified Statement to Continue *In Forma Pauperis* for Purposes of Appeal appears at Appendix "C" to this Motion to Leave to Proceed *In Forma Pauperis*.

Petitioner's affidavit or declaration in support of this motion is attached hereto.



Tyler T. Heagy

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

I, Tyler T. Heagy, 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	\$ 40.00	\$ N/A	\$ 40.00	\$ N/A
Self-employment	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Income from real property (such as rental income)	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Interest and dividends	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Gifts	\$ 300.00	\$ N/A	\$ 300.00	\$ N/A
Alimony	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Child Support	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Retirement (such as social security, pensions, annuities, insurance)	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Disability (such as social security, insurance payments)	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Unemployment payments	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Public-assistance	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Other (specify)	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Total monthly income:	\$ 340.00	\$ N/A	\$ 340.00	\$ N/A

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
Pennsylvania D.O.C. at S.C.I. Smithfield from April 2017-Present, \$40.00/month.			

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.)

N/A - I do not have a spouse.

4. How much cash do you and your spouse have? \$00.00

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
Inmate Account	\$2.00	\$ N/A

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
Value \$ <u>N/A</u>	Value \$ <u>N/A</u>

Motor Vehicle #1	Motor Vehicle #2
Year, make & model: <u>N/A</u>	Year, make & model: <u>N/A</u>
Value \$ <u>N/A</u>	Value \$ <u>N/A</u>

Other assets
Description N/A
Value \$ N/A

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

7. State the persons who rely on you or your spouse for support. For a minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
L.H.	Son	10 years old
K.H.	Daughter	6 years old

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)	\$ <u>N/A</u>	\$ <u>N/A</u>
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>N/A</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>N/A</u>	\$ <u>N/A</u>
Food	\$ <u>250.00</u>	\$ <u>N/A</u>
Clothing	\$ <u>20.00</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>N/A</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>N/A</u>	\$ <u>N/A</u>
Transportation (not including motor vehicle payments)	\$ <u>N/A</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>N/A</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>N/A</u>	\$ <u>N/A</u>
Life	\$ <u>N/A</u>	\$ <u>N/A</u>
Health	\$ <u>N/A</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>N/A</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>

(specify): N/A \$ N/A \$ N/A

Motor Vehicle	\$ <u>N/A</u>	\$ <u>N/A</u>
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Credit Card(s)	\$ <u>N/A</u>	\$ <u>N/A</u>
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Department store(s)	\$ <u>N/A</u>	\$ <u>N/A</u>
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Other: N/A \$ N/A \$ N/A

Alimony, maintenance, and support paid to others	\$ <u>N/A</u>	\$ <u>N/A</u>
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Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>N/A</u>	\$ <u>N/A</u>
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Other (specify): <u>Student Loans</u>	\$ <u>80.00</u>	\$ <u>N/A</u>
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Total monthly expenses:	\$ 350.00	\$ N/A
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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, My mother has been supporting me while I have been incarcerated and cannot afford to continue to support me and my children along with helping pay my student loans so they do not go into default.

10. Have you paid--or will you be paying--an attorney money for services in connection with this case, including the completion of this form?

No.

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?

No.

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

I am currently incarcerated and employed by the Pennsylvania Department of Correction as a tutor that only pays \$00.32 an hour. My mother has been my sole source of any additional income as gifts and has informed me that she can no longer afford to continue supporting me and my children.

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

Executed on: July 3rd, 2018

A handwritten signature in black ink, reading "Tyler T. Heagy", is written over a horizontal line. The signature is cursive and stylized.

Tyler T. Heagy