

No. \_\_\_\_\_

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IN THE SUPREME COURT OF THE UNITED STATES

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ANDRE JACKSON,  
*Petitioner,*

v.

STATE OF OHIO,  
*Respondent.*

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APPLICATION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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Petitioner Andre Jackson respectfully requests leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed in *forma pauperis*.

Every court since Petitioner was sentenced to death in 1988 has permitted him to proceed *in forma pauperis*.

In the state court proceedings involving his new trial motion which is the subject of this appeal, both the Eighth Appellate District, Cuyahoga County Court of Appeals, *State v. Jackson* Case No. 105530 and the Supreme Court of Ohio, *State v. Jackson*, Case No. 2018-0383 found him indigent.

In his direct appeal both the Eighth Appellate District, Cuyahoga County Court of Appeals, *State v. Jackson* Case No. 55758 and the Supreme Court of Ohio, *State v. Jackson*, Case No. 89-2128 found him indigent.

In the state post-conviction proceedings, both the Eighth Appellate District, Cuyahoga County Court of Appeals, *State v. Jackson* Case No. Nos. 67025, 67876, and 68085 and the Supreme Court of Ohio, *State v. Jackson*, Case No. 95-1579 found him indigent

Finally, this Court two times permitted him to proceed in forma pauperis when seeking certiorari challenging his conviction for capital murder and death sentence. *Jackson v. Ohio*, Case No. 90-8165 and *Jackson v. Ohio*, Case No. 10-9911.

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

Respectfully submitted,

Office of the Ohio Public Defender

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Counsel for Andre Jackson

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

I, Andre Jackson, 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>17</u>	\$ <u>n/a</u>	\$ <u>17</u>	\$ <u>n/a</u>
Self-employment	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Interest and dividends	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Gifts	\$ <u>50</u>	\$ <u>n/a</u>	\$ <u>50</u>	\$ <u>n/a</u>
Alimony	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Child Support	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Unemployment payments	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Other (specify): <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
<b>Total monthly income:</b>	\$ <u>67</u>	\$ <u>n/a</u>	\$ <u>67</u>	\$ <u>n/a</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
State of Ohio-DRC	CCI P.O. Box 5500 Chillicothe, OH 45601	8/30/16-8/30/18	\$ 17
			\$
			\$

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*

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

4. How much cash do you and your spouse have? \$ 0  
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
<i>N/A</i>	\$ <u>0</u>	\$ <u>0</u>
<i>N/A</i>	\$ <u>0</u>	\$ <u>0</u>
<i>N/A</i>	\$ <u>0</u>	\$ <u>0</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 *n/a*

☐ Other real estate  
Value *n/a*

☐ Motor Vehicle #1  
Year, make & model *n/a*  
Value *n/a*

☐ Motor Vehicle #2  
Year, make & model *n/a*  
Value *n/a*

☐ 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

\$ 0

\$ 0

n/a

\$ 0

\$ 0

n/a

\$ 0

\$ 0

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

**Name**

**Relationship**

**Age**

n/a

n/a

n/a

n/a

n/a

n/a

n/a

n/a

n/a

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)

\$ 0

\$ n/a

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

Utilities (electricity, heating fuel,  
water, sewer, and telephone)

\$ 1

\$ n/a

Home maintenance (repairs and upkeep)

\$ 0

\$ n/a

Food

\$ 45

\$ n/a

Clothing

\$ 12

\$ n/a

Laundry and dry-cleaning

\$ 3

\$ n/a

Medical and dental expenses

\$ 0

\$ n/a

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>n/a</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>4.95</u>	\$ <u>n/a</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>n/a</u>
Life	\$ <u>0</u>	\$ <u>n/a</u>
Health	\$ <u>0</u>	\$ <u>n/a</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>n/a</u>
Other: <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>n/a</u>
Credit card(s)	\$ <u>0</u>	\$ <u>n/a</u>
Department store(s)	\$ <u>0</u>	\$ <u>n/a</u>
Other: <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>n/a</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>n/a</u>
Other (specify): <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
<b>Total monthly expenses:</b>	\$ <u>65.95</u>	\$ <u>n/a</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 declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 31, 2018

Anda Jacobson  
(Signature)