

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

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**IN THE  
SUPREME COURT OF THE UNITED STATES**

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ATUL NANDA, Petitioner,

v.

UNITED STATES OF AMERICA, Respondent.

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

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The Petitioner asks for leave to file the attached Petition for a Writ of *Certiorari* without prepayment of costs and to proceed *in forma pauperis*.

Petitioner had not requested nor was previously granted *in forma pauperis* status in either the District Court or the Court of Appeals for the Fifth Circuit.

Petitioner's Affidavit, Declaration and Inmate Account Summary in support of this motion are attached hereto.

Dated: September 18th, 2018.

Respectfully submitted,



**ATUL NANDA #45946-177**

ACCC CB-221L

P.O. Box 1600

Washington, MS 39190-1600

*Pro se* Petitioner

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

I, ATUL NANDA, 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 Past 12 Months		Amount Expected Next Month	
	You	Spouse	You	Spouse
Employment	\$ <u>27.00</u>	\$ <u>N/A</u>	\$ <u>27.00</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Gifts	\$ <u>300.00</u>	\$ <u>N/A</u>	\$ <u>300.00</u>	\$ <u>N/A</u>
Alimony	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Child support	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Disability (such as social security, insurance)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Other (specify):	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
<b>Total Monthly Income:</b>	\$ <u>327.00</u>	\$ <u>N/A</u>	\$ <u>300.00</u>	\$ <u>N/A</u>

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

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross Monthly Pay</b>
<u>None</u>	<u></u>	<u></u>	\$ <u>00.00</u>
<u></u>	<u></u>	<u></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.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross Monthly Pay</b>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

4. How much cash do you and your spouse have? \$ 87.14. Below, state any money you or your spouse have in bank accounts or in any other financial institution.

<b>Financial institution</b>	<b>Type of account</b>	<b>Amount you have</b>	<b>Amount spouse has</b>
<u>CoreCivic Corp.</u>	<u>Prison Trust</u>	\$ <u>295.76</u>	<u>N/A</u>
<u>Adams County</u>	<u>Fund</u>		
<u>Correctional Center</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 (Value) \_\_\_\_\_ [ ] Other assets (Value) \_\_\_\_\_

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

<b>Person owing you or your spouse money</b>	<b>Amount owed to you</b>	<b>Amount owed to your spouse</b>
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<u>None</u>	<u>\$ 0.00</u>	<u>N/A</u>
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7. State the persons who rely on you or your spouse for support.

<b>Name [or, if under 18, initials only]</b>	<b>Relationship</b>	<b>Age</b>
<u>None (since my incarceration)</u>	<u></u>	<u></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, semiannually, or annually to show the monthly rate.

	<b>You</b>	<b>Your Spouse</b>
Rent or home-mortgage payment (include lot rented for mobile home)	<u>\$ 0.00</u>	<u>\$ N/A</u>
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		
Utilities (electricity, heating fuel, water, sewer, and Telephone)	<u>\$ 0.00</u>	<u>\$ N/A</u>
Home maintenance (repairs and upkeep)	<u>\$ 0.00</u>	<u>\$ N/A</u>
Food	<u>\$120.00</u>	<u>\$ N/A</u>
Clothing	<u>\$ 40.00</u>	<u>\$ N/A</u>
Laundry and dry-cleaning	<u>\$ 00.00</u>	<u>\$ N/A</u>
Medical and dental expenses	<u>\$ 0.00</u>	<u>\$ N/A</u>
Transportation (not including motor vehicle payments)	<u>\$ 0.00</u>	<u>\$ N/A</u>

Recreation, entertainment, newspapers, magazines, etc.	\$ <u>40.00</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)	\$ <u>0.00</u>	\$ <u>N/A</u>
Homeowner's or renter's:	\$ <u>0.00</u>	\$ <u>N/A</u>
Life:	\$ <u>0.00</u>	\$ <u>N/A</u>
Health:	\$ <u>0.00</u>	\$ <u>N/A</u>
Motor Vehicle:	\$ <u>0.00</u>	\$ <u>N/A</u>
Other:	\$ <u>0.00</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ <u>0.00</u>	\$ <u>N/A</u>
Installment payments	\$ <u>0.00</u>	\$ <u>N/A</u>
Motor Vehicle:	\$ <u>0.00</u>	\$ <u>N/A</u>
Credit card (name):	\$ <u>0.00</u>	\$ <u>N/A</u>
Department store (name):	\$ <u>0.00</u>	\$ <u>N/A</u>
Other: Court Assessment Fee and Restitution (FRP Payment)	\$ <u>25.00</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0.00</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0.00</u>	\$ <u>N/A</u>
Other (specify): Communication, Postage, Stationary, Printing ... etc.	\$ <u>95.00</u>	\$ <u>N/A</u>
<b>Total monthly expenses:</b>	<b>\$ <u>320.00</u></b>	<b>\$ <u>N/A</u></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 case, including the completion of this form?

☒ Yes      ☐ No

If yes, how much? \$ 80.00 (preparation expenses only; *no* attorney fees).

11. Have you paid—or will you be paying—any one 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? \$ 105.00

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

I am not earning enough nor receiving enough money as gifts to cover the costs of this case while covering my monthly expenses. As shown above, I have no prison wages, and gifts I am receiving from caring family members and relatives are not sufficient to pay the fees and costs in this case.

I declare under penalty of perjury that the foregoing is true and correct.  
28 U.S.C. § 1746.

Executed on: September 18th, 2018



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