

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 2018

NO.

REGINALD LYNCH, *Petitioner*

v.

HILTON HALL, JR., WARDEN, *Respondent*

MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

The petitioner, Reginald Lynch, asks leave to file the attached Petition for a Writ of Certiorari to the Eleventh Circuit Court of Appeals without prepayment of costs and to proceed *in forma pauperis* pursuant to Rule 39.

Counsel for Petitioner certifies that Petitioner has been incarcerated for approximately 10 years and has no assets with which to pay costs. Petitioner is currently incarcerated at Washington State Prison in Sandersville, Georgia.

The affidavit in support of this motion under 28 U.S.C. §1746 is attached hereto.



Rodney Zell
Counsel for Petitioner
State Bar No. 784650
1111 Bull Street
Savannah, Georgia 31401
(404) 523-4611

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

I, Reginald Lynch, 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>N/A</u>	\$ <u>23,000</u>	\$ <u>N/A</u>	\$ <u>123.00</u>
Self-employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>1023.00</u>	\$ <u></u>	\$ <u>1023.00</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>
Gifts	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>
Alimony	\$ <u>N</u>	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>
Child Support	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>	\$ <u></u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>
Unemployment payments	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u></u>	\$ <u>360.00</u>	\$ <u></u>	\$ <u>360.00</u>
Other (specify): <u> </u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>35,636</u>	\$ <u>0</u>	\$ <u>2106.00</u>
				\$ <u>2106.00</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
<u>N/A</u>	<u>5450 Abercorn St</u>	<u>8-23-17</u>	<u>\$ 1600.00</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.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>Bucking South</u>	<u>5450 Abercorn St</u>	<u>8-23-17</u>	<u>\$ 1600.00</u>
			<u>\$</u>
			<u>\$</u>

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.

Financial institution	Type of account	Amount you have	Amount your spouse has
		<u>\$ N/A</u>	<u>\$ N/A</u>
		<u>\$ N/A</u>	<u>\$ N/A</u>
		<u>\$ N/A</u>	<u>\$ N/A</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 #1
 Year, make & model 2017, Nissan, Altima
 Value 25,000

Motor Vehicle #2
 Year, make & model _____
 Value _____

Other assets
 Description _____
 Value _____

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

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

Name	Relationship	Age
James Johnson	Son	19
Hasan Johnson	Son	14
Aricanayshia Davis	daughter	12
Reginald Lynch	Spouse	41

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>0</u>	\$ <u>1023.00</u>
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)	\$ <u>0</u>	\$ <u>603.00</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>0</u>
Food	\$ <u>0</u>	\$ <u>150.00</u>
Clothing	\$ <u>0</u>	\$ <u>300.00</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>0</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>200.00</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>0</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>0</u>
Life	\$ <u>0</u>	\$ <u>150.00</u>
Health	\$ <u>0</u>	\$ <u>80.00</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>234.00</u>
Other: _____	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ <u>0</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>495.00</u>
Credit card(s)	\$ <u>0</u>	\$ <u>200.00</u>
Department store(s)	\$ <u>0</u>	\$ <u>200.00</u>
Other: _____	\$ <u>0</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>0</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>
Total monthly expenses:	\$ <u>0</u>	\$ <u>3,635</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? 1,500.00

If yes, state the attorney's name, address, and telephone number:

Rodney Zell
1111 Bay 11 St.

Savannah, GA 31401 (404) 523-4611

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 have been incarcerated for the past 10 years.

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

Executed on: 08/12, 2018

Reginald Lynch
(Signature)