

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

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IN THE  
SUPREME COURT OF THE UNITED STATES

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ANTONIO MERCEDES-RIJO —PETITIONER

(Your Name)

VS.

UNITED STATES OF AMERICA —RESPONDENT(S)

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

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

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

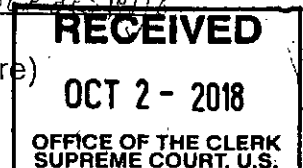
UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

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☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

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

Antonio Mercedes-Rijo  
(Signature)



## AFFIDAVIT OR DECLARATION

### IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

I, Antonio Mercedes-Rijo, 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 therefore; and I believe I am entitled to redress.

- 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<br>during the past 12 months |               | Amount expected next<br>month |               |
|--|---|---------------|-------------------------------|---------------|
|  | You   | Spouse        | You                           | Spouse        |
| Employment   | \$ <u>19.80</u>                                     | \$ <u>N/A</u> | \$ <u>19.80</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<br>(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>50.00</u>                                     | \$ <u>N/A</u> | \$ <u>0.00</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<br>security, pensions,<br>annuities, insurance) | \$ <u>0.00</u>                                      | \$ <u>N/A</u> | \$ <u>0.00</u>                | \$ <u>N/A</u> |
| Disability (such as social<br>security, insurance payments)                | \$ <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<br>(such as welfare)                                     | \$ <u>0.00</u>                                      | \$ <u>N/A</u> | \$ <u>0.00</u>                | \$ <u>N/A</u> |
| Other (specify): <u>None</u>   | \$ <u>0.00</u>                                      | \$ <u>N/A</u> | \$ <u>0.00</u>                | \$ <u>N/A</u> |
| <b>Total monthly income:</b>   | \$ <u>19.80</u>                                     | \$ <u>N/A</u> | \$ <u>19.80</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 |
|---------------|---------------------|---------------------|-------------------|
| FCI Sandstone | P.O. Box 1000       | June 26, 2016       | \$ 19.80          |
| N/A           | Sandstone, MN 55072 | N/A                 | \$ 0.00           |
| N/A           | N/A                 | N/A                 | \$ 0.00           |

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 |
|----------|---------|---------------------|-------------------|
| N/A      | N/A     | N/A                 | \$ 0.00           |
| N/A      | N/A     | N/A                 | \$ 0.00           |
| N/A      | N/A     | N/A                 | \$ 0.00           |

4. How much cash do you and your spouse have? \$ 0.00

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 |
|-----------------------|-----------------|-----------------|------------------------|
| N/A                   | N/A             | \$ 0.00         | \$ 0.00                |
| N/A                   | N/A             | \$ 0.00         | \$ 0.00                |
| N/A                   | N/A             | \$ 0.00         | \$ 0.00                |

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

|   |  |
|---|--|
| <input type="checkbox"/> Home<br>Value <u>N/A</u>                                   | <input type="checkbox"/> Other real estate<br>Value <u>N/A</u>             |
| <input type="checkbox"/> Motor Vehicle #1<br>Year, make & model <u>N/A</u>          | <input type="checkbox"/> Motor Vehicle #2<br>Year, make & model <u>N/A</u> |
| <input type="checkbox"/> Other assets<br>Description <u>N/A</u><br>Value <u>N/A</u> |  |

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

| Person owing you or spouse money | Amount owed to you | Amount owed to your spouse |
|----------------------------------|--------------------|----------------------------|
| N/A                              | N/A                | \$ 0.00                    |
| N/A                              | N/A                | \$ 0.00                    |
| N/A                              | N/A                | \$ 0.00                    |

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

| 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<br>(include lot rented for mobile home)                               | \$ N/A   | \$ N/A      |
| 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,<br>water, sewer, and telephone)                               | \$ 4.00  | \$ N/A      |
| Home maintenance (repairs and upkeep)   | \$ 0.00  | \$ N/A      |
| Food  | \$ 13.80 | \$ N/A      |
| Clothing  | \$ 0.00  | \$ N/A      |
| Laundry and dry-cleaning  | \$ 0.00  | \$ N/A      |
| Medical and denial expenses   | \$ 2.00  | \$ N/A      |

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 am currently what is classified as an indigent inmate, the inmate performance pay that I receive from the institution barely cover my expenses that I have to cover while incarcerated. In addition to this I still owe a fine of \$550.00 out of a \$800.00 dollars fine, for which I am currently making quarterly payments of \$25.00 every 90 days out of my inmate account. For these reasons I am not able to pay the filing fee for this Writ of Certiorari.

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

Executed on: September 25, 2018

Antoni merdes Rijo

(Signature)