

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

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IN THE  
Supreme Court of the United States

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TRAVIS WILLIAMS,  
Petitioner,  
v.

STATE OF MISSOURI,  
Respondent.

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On Petition for a Writ of Certiorari  
To the Supreme Court of Missouri

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MOTION FOR LEAVE TO PROCEED IN *FORMA PAUPERIS*

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William J. Swift,  
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Defender  
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COMES NOW, William J. Swift, attorney for petitioner, Travis Williams, and pursuant to Rule 39, requests leave to file his Petition for Writ of Certiorari without prepayment of costs and to proceed in *forma pauperis*.

1. Petitioner is presently housed in the Missouri Department of Corrections at the Crossroads Correctional Center. Petitioner has been represented throughout his case at trial and on appeal by the Missouri State Public Defender because he cannot afford an attorney. Petitioner has insufficient assets to pay the costs of this case. His affidavit statement in support of this motion is attached.

2. Petitioner has been granted leave to proceed as a poor person throughout his case in the Circuit Court of Cass County, Missouri in 2013 and on appeal in the Missouri Western District Court of Appeals in 2016 and the Missouri Supreme Court in 2017.

WHEREFORE, Petitioner Travis Williams prays this Court grant him leave to proceed in *forma pauperis* in this Court.

Respectfully submitted,

/s/ William J. Swift

William J. Swift

*Petitioner's Counsel of Record*

Office of the Missouri State Public  
Defender

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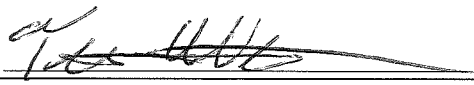
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Case No.

AFFIDAVIT ACCOMPANYING MOTION  
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS

**Affidavit in Support of Motion**

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed: 

**Instructions**

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: 8-27-18

My issues on appeal are:

I was convicted of three counts of statutory sodomy alleged to have occurred between March, 2008 - September, 2013. At my trial, the state introduced evidence that I had a prior conviction from 1996 for statutory sodomy as propensity evidence to show that I had acted in conformance with my propensity to commit the presently charged acts. This propensity evidence I believe violated my Fourteenth Amendment right to due process.

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	\$0	\$	\$0	\$
Self-employment	\$0	\$	\$0	\$
Income from real property (such as rental income)	\$0	\$	\$0	\$
Interest and dividends	\$0	\$	\$0	\$
Gifts	\$0	\$	\$0	\$
Alimony	\$0	\$	\$0	\$
Child support	\$0	\$	\$0	\$
Retirement (such as social security, pensions, annuities, insurance)	\$0	\$	\$0	\$
Disability (such as social security, insurance payments)	\$0	\$	\$0	\$
Unemployment payments	\$0	\$	\$0	\$
Public-assistance (such as welfare)	\$0	\$	\$0	\$
Other (specify):	\$0	\$	\$0	\$
<b>Total monthly income:</b>	<b>\$0</b>	<b>\$</b>	<b>\$0</b>	<b>\$</b>

2. *List your 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
Unemployed	Crossroads Correctional Ctr.		\$0
			\$
			\$

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			\$
			\$
			\$

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

*If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.*

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	Motor vehicle #1
(Value) \$	(Value) \$	(Value) \$ N/A
N/A	N/A	Make and year:
		Model:
		Registration #:

<b>Motor vehicle #2</b>	<b>Other assets</b>	<b>Other assets</b>
(Value) \$	(Value) \$	(Value) \$
Make and year:		
Model:		
Registration #:		

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

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>
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, semiannually, or annually to show the monthly rate.*

N/A	<b>You</b>	<b>Your Spouse</b>
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Rent or home-mortgage payment (include lot rented for mobile home) 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	\$ N/A	\$
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ N/A	\$
Home maintenance (repairs and upkeep)	\$ N/A	\$
Food	\$ N/A	\$
Clothing	\$ N/A	\$
Laundry and dry-cleaning	\$ N/A	\$
Medical and dental expenses	\$ N/A	\$
Transportation (not including motor vehicle payments)	\$ N/A	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ N/A	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ N/A	\$
Life:	\$ N/A	\$
Health:	\$ N/A	\$
Motor vehicle:	\$ N/A	\$
Other:	\$ N/A	\$
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ N/A	\$
Installment payments		
Motor Vehicle:	\$ N/A	\$
Credit card (name):	\$ N/A	\$
Department store (name):	\$ N/A	\$
Other:	\$ N/A	\$
Alimony, maintenance, and support paid to others	\$ N/A	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ N/A	\$
Other (specify):	\$ N/A	\$
<b>Total monthly expenses:</b>	<b>\$N/A</b>	<b>\$</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 lawsuit? ☐ Yes ☒ No

If yes, how much? \$ N/A

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

I am in prison at the Crossroads Correctional Center for the crimes that I was convicted of at my trial that I am appealing now. I have been represented throughout by the Missouri Public Defender because I do not have money for a lawyer and do not have money for court fees.

12. State the city and state of your legal residence.

Cameron, Missouri

Your daytime phone number: (N/A) \_\_\_\_\_

Your age: 48

Your years of schooling: high school

Last four digits of your social-security number: 8281

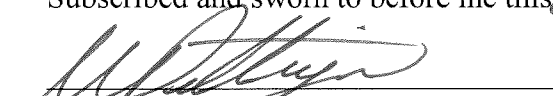
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 8-27, 2018.



Travis Williams

Subscribed and sworn to before me this 27 day of August, 2018.

  
Notary Public