

Supreme Court, U.S.  
FILED

NOV 17 2017

OFFICE OF THE CLERK

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

IN THE

SUPREME COURT OF THE UNITED STATES

Willaim Scott Fitts

GDC# 312140

— PETITIONER

(Your Name)

Georgia Dept. of <sup>VS</sup> Corrections

Brian Owens, Commissioner

— RESPONDENT(S)

~~Cedric Taylor, Warden~~

*Barry Goodrich*

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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

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

\_\_\_\_\_  
\_\_\_\_\_

☒ 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.

*William Scott Fitts*

(Signature)

William Scott Fitts

GDC# 312140

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

I, William Scott Fitts 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<br>the past 12 months |               | Amount expected<br>next month |               |
|----------------------------------------------------------------------------|-----------------------------------------------------|---------------|-------------------------------|---------------|
|                                                                            | You                                                 | Spouse        | You                           | Spouse        |
| Employment                                                                 | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Self-employment                                                            | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Income from real property<br>(such as rental income)                       | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Interest and dividends                                                     | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Gifts                                                                      | \$ <u>291.76</u>                                    | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Alimony                                                                    | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Child Support                                                              | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Retirement (such as social<br>security, pensions,<br>annuities, insurance) | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Disability (such as social<br>security, insurance payments)                | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Unemployment payments                                                      | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Public-assistance<br>(such as welfare)                                     | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Other (specify): _____                                                     | \$ <u>N/A</u>                                       | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| <b>Total monthly income:</b>                                               | \$ <u>291.76</u>                                    | \$ <u>N/A</u> | \$ <u>N/A</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 |
|------------|------------|---------------------|-------------------|
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u>          | \$ <u>N/A</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>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? \$ N/A  
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>          |
|                       |                 | \$              | \$                     |
|                       |                 | \$              | \$                     |

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 \_\_\_\_\_

☐ Motor Vehicle #2  
Year, make & model N/A  
Value \_\_\_\_\_

☐ Other assets  
Description N/A  
Value \_\_\_\_\_

|                                                                                             | You              | Your spouse   |
|---------------------------------------------------------------------------------------------|------------------|---------------|
| Transportation (not including motor vehicle payments)                                       | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Recreation, entertainment, newspapers, magazines, etc.                                      | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Insurance (not deducted from wages or included in mortgage payments)                        |                  |               |
| Homeowner's or renter's                                                                     | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Life                                                                                        | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Health                                                                                      | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Motor Vehicle                                                                               | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Other: <u>NONE</u>                                                                          | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Taxes (not deducted from wages or included in mortgage payments)                            |                  |               |
| (specify): <u>NONE</u>                                                                      | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Installment payments                                                                        |                  |               |
| Motor Vehicle                                                                               | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Credit card(s)                                                                              | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Department store(s)                                                                         | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Other: <u>NONE</u>                                                                          | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Alimony, maintenance, and support paid to others                                            | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| Other (specify): <u>NONE</u>                                                                | \$ <u>N/A</u>    | \$ <u>N/A</u> |
| <b>Total monthly expenses:</b>                                                              | \$ <u>291.76</u> | \$ <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 your spouse money

Amount owed to you

Amount owed to your spouse

N/A

\$ N/A

\$ N/A

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

Name

Relationship

Age

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)

\$ N/A

\$ N/A

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

This is about the amount I spend on the prison phone  
Phone \$ 200.00

\$ N/A

Home maintenance (repairs and upkeep)

\$ N/A

\$ N/A

Food

Amount I spent at prison store  
\$ 91.00

\$ N/A

Clothing

\$ N/A

\$ N/A

Laundry and dry-cleaning

\$ N/A

\$ N/A

Medical and dental expenses

\$ N/A

\$ 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? 3 Attorneys for a total of \$38,000

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

Trial Attorney  
\$25,000 Bruce Harvey  
146 NASSAU ST NW  
Atlanta GA 30303  
Phone 404-659-4628

Habes Attorney  
\$6,000 William L. Reilly Esq  
PO Box 2153  
Blue Ridge GA 30513  
Phone: 706-633-6437

Certificate of Probable Cause Attorney  
\$8,000 J. Scott Key  
79 Lawrenceville St.  
McDonough, GA, 30253  
Phone # 678-610-6624

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

I have had an inmate that works in the Law library here help me some but have not paid him.

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.

See attached ACCOUNT CERTIFICATION dated November 6, 2017 for William Scott Fitts GOC # 312140  
Also my family talked to an Attorney about doing this petition for me and my mom told me it was more than she could afford, so I am trying to do it myself.  
I declare under penalty of perjury that the foregoing is true and correct.

Executed on: NOV 15<sup>th</sup>, 2017

William Scott Fitts

(Signature)

RECEIVED

RETURN TO:

OFFICE OF THE CLERK  
SUPREME COURT OF THE  
UNITED STATES  
WASHINGTON DC 20543

NOV 02 2017

BALDWIN S.P.  
BUSINESS OFFICE

RE:

William Fitts  
(Plaintiff)  
312140  
(Prisoner Number)

**ACCOUNT CERTIFICATION**

I hereby certify that the plaintiff/petitioner named herein above has an average monthly balance for the last six (6) months of \$ 291.76 in account to his/her credit at the Baldwin State Prison institution where he/she is confined. I further certify that the plaintiff/petitioner likewise has the following securities to his/her credit according to the records of this institution: \_\_\_\_\_

N/A

(If not confined for a full six (6) months, specify the number of months confined, then compute the average monthly balance based on that number of months): \_\_\_\_\_

N/A

PRESENT BALANCE ON HAND IN PRISONER ACCOUNT: \$ 1,126.03

Dated this 6TH day of November, 20 17.

[Signature]  
(Authorized Officer of Institution)  
Financial Ops Generalist 1  
(Title)

**PLEASE ATTACH A COMPUTER PRINTOUT OF THE ACCOUNT AVAILABLE**