

No.

Supreme Court, U.S.  
FILED

JUN 20 2018

OFFICE OF THE CLERK

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IN THE  
SUPREME COURT OF THE UNITED STATES

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IN re DANNY W. HOWELL -- PETITIONER  
(Your Name)

VS.

RICHARD BROWN, WARDEN -- RESPONDENT(S)

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):

WELLS COUNTY CIRCUIT COURT - Ind. Code § 33-9-10-1 & U.S. SIXTH AMDT. - PC RULE 1 § 9, (a)

INDIANA COURT OF APPEALS - Ind. Code § 33-9-10-1 & U.S. SIXTH AMDT. - PC RULE 1 § 9, (a)

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.

Danny W. Howell  
(Signature)

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

I, DANNY W. HOWELL, 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 the gross amounts, that is, amounts before any deductions for taxes or otherwise.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
Employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>770.00</u>	\$ <u>0</u>	\$ <u>770.00</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>95.00</u>	\$ <u>0</u>	\$ <u>95.00</u>
Other (specify): <u>VOLE PAY</u>	\$ <u>10.00</u>	\$ <u>0</u>	\$ <u>10.00</u>	\$ <u>0</u>
<b>Total monthly income:</b>	<b>\$ <u>10.00</u></b>	<b>\$ <u>865.00</u></b>	<b>\$ <u>10.00</u></b>	<b>\$ <u>865.00</u></b>

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	Gross monthly pay
NIA	NIA	NIA	\$ NIA
NIA	NIA	NIA	\$ NIA
NIA	NIA	NIA	\$ NIA

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	Gross monthly pay
NIA	NIA	NIA	\$ NIA
NIA	NIA	NIA	\$ NIA
NIA	NIA	NIA	\$ NIA

4. How much cash do you and your spouse have? \$ 0

Below, state any money your 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
WELLS FARGO BANK	CHECKING	\$ 0 NIA	\$ 2.00
NIA	NIA	\$ NIA	\$ NIA
NIA	NIA	\$ NIA	\$ NIA

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

Home  
Value 20K

Other real estate  
Value NIA

Motor Vehicle #1  
Year, make & model 2000 PARK AVENUE-BENZ

Motor Vehicle #2  
Year, make & model NIA

Other assets  
Description NIA  
Value NIA

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>
<u>NIA</u>	\$ <u>NIA</u>	\$ <u>NIA</u>
<u>NIA</u>	\$ <u>NIA</u>	\$ <u>NIA</u>
<u>NIA</u>	\$ <u>NIA</u>	\$ <u>NIA</u>

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

<b>Name</b>	<b>Relationship</b>	<b>Age</b>
<u>NIA</u>	<u>NIA</u>	<u>NIA</u>
<u>NIA</u>	<u>NIA</u>	<u>NIA</u>
<u>NIA</u>	<u>NIA</u>	<u>NIA</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, 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>NIA</u>	\$ <u>186.00</u>
Are real estate taxes included?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Is property insurance included?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Utilities (electricity, heating fuel, Water, sewer, and telephone)	\$ <u>NIA</u>	\$ <u>231.00</u>
Home maintenance (repairs and upkeep)	\$ <u>NIA</u>	\$ <u>95.00</u>
Food	\$ <u>10.00</u>	\$ <u>210.00</u>
Clothing	\$ <u>0</u>	\$ <u>12.00</u>
Laundry and dry-cleaning	\$ <u>NIA</u>	\$ <u>25.00</u>
Medical and dental expenses	\$ <u>2.25</u>	\$ <u>27.00</u>

	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ <u>NIA</u>	\$ <u>10.00</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>NIA</u>	\$ <u>NIA</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>NIA</u>	\$ <u>NIA</u>
Life	\$ <u>NIA</u>	\$ <u>NIA</u>
Health	\$ <u>NIA</u>	\$ <u>NIA</u>
Motor Vehicle	\$ <u>NIA</u>	\$ <u>32.00</u>
Other: <u>NIA</u>	\$ <u>NIA</u>	\$ <u>NIA</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>NIA</u>	\$ <u>NIA</u>	\$ <u>NIA</u>
Installment payments		
Motor Vehicle	\$ <u>NIA</u>	\$ <u>NIA</u>
Credit card(s)	\$ <u>NIA</u>	\$ <u>0</u>
Department store(s)	\$ <u>NIA</u>	\$ <u>NIA</u>
Other: <u>NIA</u>	\$ <u>NIA</u>	\$ <u>NIA</u>
Alimony, maintenance, and support paid to others	\$ <u>NIA</u>	\$ <u>NIA</u>
Regular expenses for operation of business, profession, Or farm (attach detailed statement)	\$ <u>NIA</u>	\$ <u>NIA</u>
Other (specify): <u>NIA</u>	\$ <u>NIA</u>	\$ <u>NIA</u>
<b>Total monthly expenses:</b>	\$ <u>12.25</u>	\$ <u>894.00</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? NIA

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

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? NIA

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

12. Provide any other information that will help explain why you cannot pay the costs of this case.

APPLICANT CHALLENGES THE SUFFICIENCY OF THE EVIDENCE AND BECAUSE OF INIDGENEY OR OTHER REASON IS UNABLE TO PRODUCE SUCH PARTS OF THE RECORD. SEE 28 U.S.C. 32254(F). ALSO BECAUSE OF DISABILITY, UNABLE TO OBTAIN AN ADEQUATE DEFENSE IN CRIMINAL CASE. APPEAL IS IN GOOD FAITH.

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

Executed on: JUNE 15, 20 18

Danny W. Howell  
(Signature)