

In The
UNITED STATES SUPREME COURT

ROBERTO MORENO RAMOS,
Petitioner-Appellant,

versus

WILLIAM STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,
Respondent-Appellee.

**On Petition for Writ of Certiorari to the
United States Court of Appeals for the Fifth Circuit**

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

NOW COMES Petitioner ROBERTO MORENO RAMOS, by and through undersigned *pro bono* counsel, to ask leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Mr. Moreno Ramos has previously been granted leave to proceed *in forma pauperis* by this Court in conjunction with his January 3, 2017 application for a writ of certiorari and also by the following courts:

The United States Court of Appeals for the Fifth Circuit.

The United States District Court for the Southern District of Texas.

The Texas Court of Criminal Appeals.

The 93rd District Court of Texas, Hidalgo County.

Mr. Moreno Ramos' Declaration in support of this motion is attached hereto.

Respectfully Submitted,

/s/ Danalynn Recer

Danalynn Recer
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CERTIFICATE OF SERVICE

I hereby certify that a copy of this document has been served, upon counsel for Respondent on this 14th of November, 2018, via electronic service, ECF, to Ms. Tina J. Miranda, Assistant Attorney General.

/s/ Danalynn Recer

Danalynn Recer
Counsel for Mr. Moreno Ramos

Dated: November 14, 2018

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

I, Roberto Moreno Rendos, 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>0</u>	\$ _____	\$ _____	\$ _____
Self-employment	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Gifts	\$ <u>40</u>	\$ _____	\$ _____	\$ _____
Alimony	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Child Support	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ <u>0</u>	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ <u>40</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
<i>N/A</i>			\$
			\$
			\$

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
<i>N/A</i>			\$
			\$
			\$

4. How much cash do you and your spouse have? *\$Appx. 100*

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
	<i>Just Ford</i>	\$	\$
		\$	\$
		\$	\$

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 _____
Value _____

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>S</u>	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
<u>S</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.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>8</u>	\$ _____
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		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>6</u>	\$ _____
Home maintenance (repairs and upkeep)	\$ <u>6</u>	\$ _____
Food	\$ <u>10</u>	\$ _____
Clothing	\$ <u>10</u>	\$ _____
Laundry and dry-cleaning	\$ <u>10</u>	\$ _____
Medical and dental expenses	\$ <u>10</u>	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>2</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ _____
Life	\$ <u>0</u>	\$ _____
Health	\$ <u>0</u>	\$ _____
Motor Vehicle	\$ <u>0</u>	\$ _____
Other: _____	\$ <u>0</u>	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ _____
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ _____
Credit card(s)	\$ <u>0</u>	\$ _____
Department store(s)	\$ <u>0</u>	\$ _____
Other: _____	\$ <u>0</u>	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ _____
Other (specify): <u>Commasay</u>	\$ <u>50</u>	\$ _____
Total monthly expenses:	<u>\$ 40 - 50</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? _____

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:

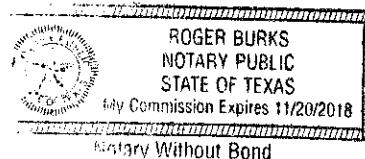
12. Provide any other information that will help explain why you cannot pay the costs of this case.

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

Executed on: Sept 6, 2018


(Signature)

*Roger Burks
Roger Burks
Notary Public*



CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 09/06/18
 TL49/AC00105 IN-FORMA-PAUPERIS DATA 09:39:24
 TDCJ# 009999062 SID# 04748390 LOCATION: POLLUNSKY INDIGENT DTE:
 NAME: RAMOS, ROBERT MORENO BEGINNING PERIOD: 03/01/18
 PREVIOUS TDCJ NUMBERS:
 CURRENT BAL: 50.29 TOT HOLD AMT: 0.00 3MTH TOT DEP: 410.00
 6MTH DEP: 1,075.00 6MTH AVG BAL: 540.18 6MTH AVG DEP: 179.17
 MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS
 08/18 179.94 80.00 05/18 1,067.41 165.00
 07/18 261.49 190.00 04/18 1,027.41 335.00
 06/18 1,059.21 140.00 03/18 834.50 165.00
 PROCESS DATE HOLD AMOUNT HOLD DESCRIPTION

STATE OF TEXAS COUNTY OF Polk

ON THIS THE 16 DAY OF September 2018 I CERTIFY THAT THIS DOCUMENT IS A TRUE, COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG:
 PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: _____ OR SID NUMBER: _____

Roger Burks
 Roger Burks
 Notary Public

