

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

LAURA SHAUGER, *Petitioner,*

v.

UNITED STATES OF AMERICA, Respondent.

On Petition for Writ of Certiorari
To the United States Court of Appeals for the Third Circuit

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*.

1. Petitioner has previously been granted leave to proceed in forma pauperis in the United States District Court for the Eastern District of Pennsylvania with respect to the criminal case whose judgment she later moved under 28 U.S.C. § 2255 to vacate. The petitioner's family subsequently retained undersigned counsel to prepare, file and litigate her § 2255 motion. The petitioner's family has paid undersigned counsel a token fee to prepare and file this petition

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

WHEREFORE, the petitioner prays that this Court grant her leave to proceed *in forma pauperis*.

Respectfully submitted,

s/James H. Feldman, Jr.

JAMES H. FELDMAN, JR.

Counsel of Record

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Attorney for Petitioner

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

I, Laura Shauger, 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>	\$ _____	\$ <u>-0-</u>	\$ _____
Self-employment	\$ <u>-0-</u>	\$ _____	\$ <u>-0-</u>	\$ _____
Income from real property (such as rental income)	\$ <u>-0-</u>	\$ _____	\$ <u>-0-</u>	\$ _____
Interest and dividends	\$ <u>-0-</u>	\$ _____	\$ <u>-0-</u>	\$ _____
Gifts	\$ <u>220.00</u>	\$ _____	\$ <u>220.00</u>	\$ _____
Alimony	\$ <u>-0-</u>	\$ _____	\$ <u>-0-</u>	\$ _____
Child Support	\$ <u>-0-</u>	\$ _____	\$ <u>-0-</u>	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>-0-</u>	\$ _____	\$ <u>-0-</u>	\$ _____
Disability (such as social security, insurance payments)	\$ <u>-0-</u>	\$ _____	\$ <u>-0-</u>	\$ _____
Unemployment payments	\$ <u>-0-</u>	\$ _____	\$ <u>-0-</u>	\$ _____
Public-assistance (such as welfare)	\$ <u>-0-</u>	\$ _____	\$ <u>-0-</u>	\$ _____
Other (specify): <u>working</u>	\$ <u>17.00</u>	\$ _____	\$ <u>17.00</u>	\$ _____
<u>in prison</u>				
Total monthly income:	\$ <u>237.00</u>	\$ _____	\$ <u>237.00</u>	\$ _____

* Please refer to attachment for
questions regarding spouse *

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>I do not have access to this</u>			\$ <u>information</u>
			\$
			\$

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.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
<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.

<input type="checkbox"/> Home Value _____	<input type="checkbox"/> Other real estate Value _____
<input type="checkbox"/> Motor Vehicle #1 Year, make & model _____ Value _____	<input type="checkbox"/> Motor Vehicle #2 Year, make & model _____ Value _____
<input type="checkbox"/> Other assets Description _____ Value _____	

* I do not own any assets of value *
* Please refer to attachment for questions regarding spouse *

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
	\$ -0-	\$
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
No one relies on me for support		

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)	\$ -0-	\$
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 <u>telephone</u>)	\$ 40.00	\$
Home maintenance (repairs and upkeep)	\$ -0-	\$
Food	\$ 140.00	\$
Clothing	\$ 10.00	\$
Laundry and dry-cleaning	\$ 10.00	\$
Medical and dental expenses	\$ 2.00	\$

* Please refer to attachment for questions regarding spouse *

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>-0-</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>10.00</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>-0-</u>	\$ _____
Total monthly expenses:	\$ <u>212.00</u>	\$ _____

* Please refer to attachment for questions regarding spouse *

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.

Due to the fact that I am currently incarcerated, I have no income or assets and rely completely on others gifts to support myself.

Pursuant to 28 U.S.C. Sec. 1746,

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

Executed on: October 24TH, 2018

At: FMC Carsell, Ft. Worth, Texas

Laura Shauger
Laura Shauger (Signature)

Attachment to Declaration of Laura Shauger
In Support of Motion For Leave to Proceed In Forma Pauperis

Additional Information concerning my spouse in response to Questions 1, 4, 5, 6, 7 and 8.

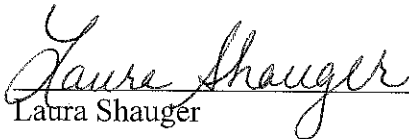
Questions 1, 4, 5, 6, 7, and 8 ask for information concerning my spouse. While I am still married to Jeffrey Shauger, I have had no contact with him since August 2012. I would like to get a divorce, but have not,

because I cannot afford an attorney & there is no way for a simple divorce in the State of Texas since we have a child together. I receive no support from Mr. Shauger and know nothing about his financial situation, including his income,

employment, accounts with financial institutions, assets, any person or company that might owe him money, whether he relies on anyone for support, or his monthly expenses, either now or for the past 6 years.

Pursuant to 28 U.S.C. Sec. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 24 2018
At: FMC Carswell, Ft. Worth Texas


Laura Shauger