

No. 18-6897

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
NOV 16 2018
OFFICE OF THE CLERK

VICTOR SOLORZANO TAVIA — PETITIONER
(Your Name)

VS.

UNITED STATES OF AMERICA — 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*.

Please check the appropriate boxes:

☐ 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.

☐ Petitioner's affidavit or declaration is not attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: _____, or

☐ a copy of the order of appointment is appended.

VICTOR
(Signature)

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

I, VICTOR SOLORZANO TAVIA, 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	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Self-employment	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Income from real property (such as rental income)	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Interest and dividends	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Gifts	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Alimony	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Child Support	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Disability (such as social security, insurance payments)	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Unemployment payments	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Public-assistance (such as welfare)	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Other (specify): <u>NONE</u>	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0
Total monthly income:	\$ 0.0	\$ 0.0	\$ 0.0	\$ 0.0

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
N/A	N/A	N/A	\$ 0.0
			\$

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	N/A	N/A	\$ 0.0
			\$

4. How much cash do you and your spouse have? \$ 0.0
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
N/A	\$	\$
	\$	\$
	\$	\$

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

D Home N/A
Value

D Other real estate
Value N/A

D Motor Vehicle #1 N/A
Year, make & model
Value N/A

D Motor Vehicle #2 N/A
Year, make & model
Value N/A

D Other assets
Description NONE
Value \$0.0

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. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

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? D Yes D No		
Is property insurance included? D Yes D No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ N/A	\$ N/A
Home maintenance (repairs and upkeep)	\$ N/A	\$ N/A
Food	\$ N/A	\$ N/A
Clothing	\$ N/A	\$ N/A
Laundry and dry-cleaning	\$ N/A	\$ N/A
Medical and dental expenses	\$ N/A	\$ N/A

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

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

N/A

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? N/A

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

N/A

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

Petitioner is currently incarcerated.

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

Executed on: _____, 2018

VICTOR

(Signature)

GEO-Great Plains Correctional Facility

Resident Account Summary

Thursday, November 15, 2018 @13:18

For BOP #: 40434379 SOLORCINO-TAVIA, VICTOR

Date	Transaction	Description	Amount	Balance	Owed	Held	Reference
11/09/2018	EPR	OID:100188958-ComisaryPur	-42.45	57.29	0.00	0.00	11/09/2018
10/19/2018	EPR	OID:100186091-ComisaryPur	-19.03	99.74	0.00	0.00	10/19/2018
10/15/2018	PAYROLL	12@110 FOOD SERVICE	13.20	118.77	0.00	0.00	10/15/2018
10/12/2018	EPR	OID:100184969-ComisaryPur	-42.37	105.57	0.00	0.00	10/12/2018
10/05/2018	DEPMO	#17809754155/JOSE ANTONIO	50.00	147.94	0.00	0.00	10/05/2018
10/05/2018	EPR	OID:100183891-ComisaryPur	-20.36	97.94	0.00	0.00	10/05/2018
09/28/2018	EPR	OID:100183365-ComisaryPur	-48.74	118.30	0.00	0.00	09/28/2018
09/21/2018	EPR	OID:100181651-ComisaryPur	-17.60	167.04	0.00	0.00	09/21/2018
09/17/2018	IFRP	IFRP Resident Transaction	-25.00	184.64	0.00	0.00	09/17/2018
09/17/2018	PAYROLL	12@198 FOOD SERVICE +BONU	30.88	209.64	0.00	0.00	09/17/2018
09/14/2018	EPR	OID:100180606-ComisaryPur	-50.73	178.76	0.00	0.00	09/14/2018
09/07/2018	EPR	OID:100180030-ComisaryPur	-13.57	229.49	0.00	0.00	09/07/2018
08/22/2018	<MAIL CHARGE	8/22-1 PKG/HOBBYCRAFT	-3.50	243.06	0.00	0.00	08/22/2018
08/22/2018	MAIL CHARGE	8/22-1 PKG/HOBBYCRAFT	3.50	246.56	3.50	0.00	08/22/2018
08/17/2018	EPR	OID:100177078-ComisaryPur	-52.28	246.56	0.00	0.00	08/17/2018
08/14/2018	DEPMO	#17811292821/JOSE ANTONIO	100.00	298.84	0.00	0.00	08/14/2018
08/14/2018	PAYROLL	12@144 FOOD SERVICE	17.28	198.84	0.00	0.00	08/14/2018
07/27/2018	EPR	OID:100173097-ComisaryPur	-30.96	181.56	0.00	0.00	07/27/2018
07/20/2018	DEPMO	#17769655233/JOSE ANTONIO	100.00	212.52	0.00	0.00	07/20/2018
07/20/2018	EPR	OID:100172246-ComisaryPur	-63.74	112.52	0.00	0.00	07/20/2018
07/16/2018	PAYROLL	12@154 D UNIT	18.48	176.26	0.00	0.00	07/16/2018
07/13/2018	EPR	OID:100171029-ComisaryPur	-23.65	157.78	0.00	0.00	07/13/2018
07/06/2018	EPR	OID:100169993-ComisaryPur	-29.54	181.43	0.00	0.00	07/06/2018
06/29/2018	EPR	OID:100169179-ComisaryPur	-188.08	210.97	0.00	0.00	06/29/2018
06/27/2018	SECUREDEPOS	21860775 Avellaneda Virgil	100.00	399.05	0.00	0.00	06/27/2018
06/26/2018	ERF	OID:100167981-ComisaryRef	5.29	299.05	0.00	0.00	06/26/2018
06/22/2018	EPR	OID:100167981-ComisaryPur	-86.62	293.76	0.00	0.00	06/22/2018
06/20/2018	<MAIL CHARGE	6/20-1 PKG/HOBBYCRAFT	-3.50	380.38	0.00	0.00	06/20/2018
06/20/2018	MAIL CHARGE	6/20-1 PKG/HOBBYCRAFT	3.50	383.88	3.50	0.00	06/20/2018
06/20/2018	DEPMO	#17762658700/JUANITA JAIME	100.00	383.88	0.00	0.00	06/20/2018
06/18/2018	IFRP	IFRP Resident Transaction	-25.00	283.88	0.00	0.00	06/18/2018
06/14/2018	DEPCHK	#22984/BALDWIN CO SHERIFF	307.94	308.88	0.00	0.00	06/14/2018
05/18/2018	EPR	OID:100161801-ComisaryPur	-27.81	0.94	0.00	0.00	05/18/2018
05/15/2018	ERF	OID:100161242-ComisaryRef	0.16	28.75	0.00	0.00	05/15/2018
05/11/2018	EPR	OID:100161242-ComisaryPur	-85.33	28.59	0.00	0.00	05/11/2018
05/04/2018	EPR	OID:100160213-ComisaryPur	-86.08	113.92	0.00	0.00	05/04/2018
04/30/2018	SECUREDEPOS	24958710 Avellaneda Virgil	100.00	200.00	0.00	0.00	04/30/2018
04/27/2018	DEPMO	#122862393/JOSE ANTONIO S	100.00	100.00	0.00	0.00	04/27/2018
06/09/2016	SPECIAL ASS	VOID-AU:15-CR-146(1)-SS/\$	-100.00	0.00	0.00	0.00	06/09/2016
06/09/2016	SPECIAL ASS	AU:15-CR-146(1)-SS/\$100 D	100.00	0.00	100.00	0.00	06/09/2016
05/31/2016	WDRAWAL CHE	RELEASE #7018 #40434-379	-1.09	0.00	0.00	0.00	05/31/2016
03/25/2016	EPR	OID:100030080-ComisaryPur	-58.75	1.09	0.00	0.00	03/25/2016
03/18/2016	EPR	OID:100028643-ComisaryPur	-41.26	59.84	0.00	0.00	03/18/2016
03/14/2016	SECUREDEPOS	12006389 Tejada Paula	100.00	101.10	0.00	0.00	03/14/2016
03/01/2016	ERF	OID:100025631-ComisaryRef	0.16	1.10	0.00	0.00	03/01/2016
02/29/2016	<COPIES>	2 COPIES ON 2/25/16	-0.20	0.94	0.00	0.00	02/29/2016
02/29/2016	COPIES	2 COPIES ON 2/25/16	0.20	1.14	0.20	0.00	02/29/2016
02/26/2016	EPR	OID:100025631-ComisaryPur	-43.73	1.14	0.00	0.00	02/26/2016
01/11/2016	INMATE PAYR	PAYROLL	12.24	44.87	0.00	0.00	01/11/2016
12/30/2015	EPR	OID:100017265-ComisaryPur	-5.23	32.63	0.00	0.00	12/30/2015
12/23/2015	EPR	OID:100016463-ComisaryPur	-5.78	37.86	0.00	0.00	12/23/2015
12/22/2015	ERF	OID:100016405-ComisaryRef	3.16	43.64	0.00	0.00	12/22/2015
12/18/2015	EPR	OID:100016405-ComisaryPur	-15.81	40.48	0.00	0.00	12/18/2015
12/14/2015	INMATE PAYR	PAYROLL	3.48	56.29	0.00	0.00	12/14/2015
12/11/2015	EPR	OID:100014623-ComisaryPur	-48.78	52.81	0.00	0.00	12/11/2015
12/08/2015	SECUREDEPOS	11598849 Tejada Paula	100.00	101.59	0.00	0.00	12/08/2015
11/20/2015	EPR	OID:100012275-ComisaryPur	-32.60	1.59	0.00	0.00	11/20/2015
11/13/2015	EPR	OID:100011783-ComisaryPur	-27.75	34.19	0.00	0.00	11/13/2015

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GEO-Great Plains Correctional Facility
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Resident Account Summary
Thursday, November 15, 2018 @13:18

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For BOP #: 40434379 SOLORCINO-TAVIA, VICTOR

Date	Transaction Description	Amount	Balance	Owed	Held	Reference
11/10/2015	SECUREDEPOS 5700365 Tejada Paula	50.00	61.94	0.00	0.00	11/10/2015
11/06/2015	DEPCHK #403051015609/ DOJ KC MO	11.94	11.94	0.00	0.00	11/06/2015