No. 18-7026

IN THE

SUPREME COURT OF THE UNITED STATES
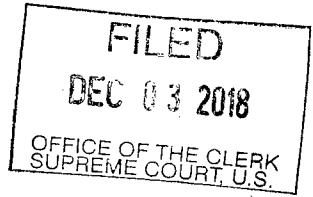
Bryan Coats — PETITIONER
(Your Name)

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):

United States District Court Western District of North Carolina

United States Court of Appeals for the Fourth Circuit

☐ 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.

_____
(Signature)
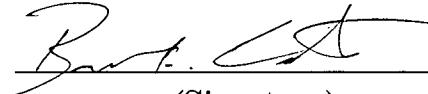
# AFFIDAVIT OR DECLARATION
## IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

I, __Bryan Coats__ , 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 | $ 140.16 | $ 3585.12 | $120.00 | $ 4037.33 |
| Self-employment | $ N/A | $ N/A | $ N/A | $ N/A |
| Income from real property (such as rental income) | $ N/A | $ N/A | $ N/A | $ N/A |
| Interest and dividends | $ N/A | $ 1.16 | $ N/A | $ 1.16 |
| Gifts | $ N/A | $ N/A | $ N/A | $ N/A |
| Alimony | $ N/A | $ N/A | $ N/A | $ N/A |
| Child Support | $ N/A | $ N/A | $ N/A | $ N/A |
| Retirement (such as social security, pensions, annuities, insurance) | $ 616.66 | $ N/A | $ 616.66 | $ N/A |
| Disability (such as social security, insurance payments) | $ 666.90 | $ N/A | $ 666.90 | $ N/A |
| Unemployment payments | $ N/A | $ N/A | $ N/A | $ N/A |
| Public-assistance (such as welfare) | $ N/A | $ N/A | $ N/A | $ N/A |
| Other (specify): _____ | $ N/A | $ N/A | $ N/A | $ N/A |
| **Total monthly income:** | $1423.72 | $3586.28 | $ 1403.72 | $4038.49 |

|  | You | Your spouse |
|---|---|---|
| Transportation (not including motor vehicle payments) | $ N/A | $ 310.00 |
| Recreation, entertainment, newspapers, magazines, etc. | $ 10.00 | $ 50.00 |

Insurance (not deducted from wages or included in mortgage payments)

|  | You | Your spouse |
|---|---|---|
| Homeowner's or renter's | $ N/A | $ 81.78 |
| Life | $ N/A | $ 151.22 |
| Health | $ N/A | $ N/A |
| Motor Vehicle | $ N/A | $ 51.23 |
| Other: Survivor Benefit Plan Ins. | $ 83.98 | $ N/A |

Taxes (not deducted from wages or included in mortgage payments)

|  | You | Your spouse |
|---|---|---|
| (specify): Tax Debt | $ N/A | $ 166.00 |

Installment payments

|  | You | Your spouse |
|---|---|---|
| Motor Vehicle | $ N/A | $ N/A |
| Credit card(s) | $ N/A | $ 0.00 |
| Department store(s) | $ N/A | $ 0.00 |
| Other: | $ N/A | $ 0.00 |
| 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 |
| **Total monthly expenses:** | $ 1304.13 | $ 1457.23 |

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 |
| --- | --- | --- | --- |
| UNICOR | Building 912 | 09-08-2014 | $ 97.96 |
| | Maxwell AFB | to Present | $ |
| | 36112 | | $ |
| | Butner FCI | | |

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 |
| --- | --- | --- | --- |
| Robert Half | 12400 Collect. | 09/15 to 09/17 | $ 1650.00 |
| Office Team | Chicago IL 60693 | 10/17 to Present | $ 3585.12 |
| UNC Greensboro | P.O. Box 26170 | | $ |
| | Greensboro NC 27402 | | |

4. How much cash do you and your spouse have? $ 14,276.00
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 |
| --- | --- | --- |
| Checking | $ N/A | $14,276.00 |
| Savings | $ N/A | $ 80.20 |
| Inmate Account | $ 197.20 | $ N/A |

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    2006 Honda
Year, make & model Oddessey
Value 1950.00

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

☒ Other assets
Description Individual IRA  Inception 1995
Value 8,200.00

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 |
| Betty J. Coats | Spouse | 59 |
| | | |

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) | $ 900.00 | $ 0.00 |
| Are real estate taxes included? ☐ Yes ☒ No Is property insurance included? ☐ Yes ☒ No | | |
| Utilities (electricity, heating fuel, water, sewer, and telephone) | $ 145.00 | $ 0.00 |
| Home maintenance (repairs and upkeep) | $ 0.00 | $ 30.00 |
| Food | $ 80.00 | $ 150.00 |
| Clothing | $ 20.00 | $ 125.00 |
| Laundry and dry-cleaning | $ 5.00 | $ 25.00 |
| Medical and dental expenses | $ 60.15 | $ 317.00 |

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.

    (See Attached)

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

Executed on: _DECEMBER   3_ , 20_18_

_____
(Signature)

Attachment to Item 12

I have been at FPC Montgomery since April 8, 2015. Before that,
I was at FCI Butner (NC), a "Low" security federal institution,
beginning on or about February 15, 2013. While I was at Butner,
I was paid an average of $33.91 per month. While at Montgomery,
I have been paid about $107.13 per month, all of which has been
expended for TruLincs (email) and TruPhone (telephone) and for
commissary. I now have about $197.00 in my inmate account. My
military retirement pension and joint assets with my wife are
being used for her support.

I am also subject to a restitution judgment of about
$30,000,000. That judgment has not been paid. I understand
that the judgment is a lien against my property. Because of
that judgment, and because I have been in prison since February
2013, and because I don't have any other income, I believe that
I have no income or assets to use to pay court fees or to hire
an attorney.