

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JASON EUGENE BUSH

Petitioner

vs.

STATE OF ARIZONA

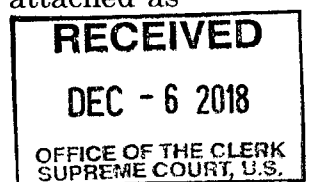
Respondent

On Petition for a Writ of Certiorari
to the Arizona Superior Court, Pima County

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Pursuant to Rule 39 of the Rules of the Supreme Court, Petitioner Jason Eugene Bush hereby moves for leave to proceed *in forma pauperis* in the above-captioned case on the ground that he lacks sufficient funds to pay for fees and expenses. Mr. Bush is a death row prisoner who is incarcerated at the Arizona State Prison Complex in Florence, Arizona.

On October 11, 2012 the Superior Court of Pima County, Arizona, appointed counsel undersigned as private contract counsel for Mr. Bush. That order is attached as Appendix A. Mr. Bush's declaration in support hereof is attached as




Appendix B. Accordingly, Mr. Bush respectfully requests that he be permitted to proceed *in forma pauperis* in this Court.

Respectfully submitted:

December 1, 2018.

John L. Saccoman
Counsel of Record

Law Office of John L. Saccoman, Esq.
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John L. Saccoman
Attorney for Petitioner

APPENDIX TO MOTION TO PROCEED *IN FORMA PAUPERIS*

Appendix A. Pima County Superior Court order appointing John Saccoman as
Petitioner's private contract counsel. (CR20092003-003 October 11, 2012.)

Appendix B. Declaration of Petitioner in Support of Motion for Leave to Proceed in
Forma Pauperis with Court Appointed Counsel (October 17, 2018).

APPENDIX A, Order Dated October 11, 2012.

ARIZONA SUPERIOR COURT
PIMA COUNTY

HON. RICHARD D. NICHOLS

CASE NO.: CR-20092300-003

COURT REPORTER: NONE

DATE: October 11, 2012

STATE OF ARIZONA,

Plaintiff,


vs.

JASON EUGENE BUSH,

Defendant.

ORDER

Pursuant to Arizona Supreme Court order CR-11-0107-AP, this Court appoints John Saccoman, 602-686-2062 as appellate counsel in CR-2009-2300-003.


Hon. Richard D. Nichols
Presiding Criminal Judge

nlvcc: Hon. Richard D. Nichols
nlvcc: Hon. Robert M. Brutinel
Kent E. Cattani, Esq. – Attorney General's Office *faxed 10-11-12 nlvcc*
nlvcc John Saccoman, Esq.
Carla Ryan, Esq. *faxed 10-11-12 nlvcc*
Diane Alessi, Esq. – Capital Litigation Clerk *faxed 10-11-12 nlvcc*
nlvcc Amy S. Armstrong, Esq. – Arizona Capital Representation Project
Dale A. Baich, Esq. – Federal Public Defender's Office *faxed 10-11-12 nlvcc*
nlvcc Robert Hirsh, Esq. – Office of Court Appointed Counsel
nlvcc Clerk of Superior Court
nlvcc Defendant

Victoria L. Vasquez
Judicial Administrative Asst.

APPENDIX B, Petitioner's *In Forma Pauperis* Declaration

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

I, JASON, EUGENE BUSH, 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>N/A</u> | \$ <u>0</u> | \$ <u>N/A</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>0 30⁰⁰</u> | \$ _____ | \$ <u>30⁰⁰</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>0</u> | \$ _____ | \$ <u>0</u> | \$ _____ |
| Total monthly income: | \$ <u>30⁰⁰</u> | \$ <u>N/A</u> | \$ <u>30⁰⁰</u> | \$ <u>N/A</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 |
|-------------|---------|---------------------|-------------------|
| <u>None</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>None</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>0</u> | \$ <u>0</u> |
| | \$ | \$ |
| | \$ | \$ |

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

☐ Home
Value 0, N/A

☐ Other real estate
Value 0, N/A

☐ Motor Vehicle #1
Year, make & model _____
Value 0, N/A

☐ Motor Vehicle #2
Year, make & model 0, N/A
Value 0

☐ Other assets
Description N/A
Value 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

\$
\$
\$

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

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.

Rent or home-mortgage payment (include lot rented for mobile home)

Are real estate taxes included? ☐ Yes ☐ No
Is property insurance included? ☐ Yes ☐ No

Utilities (electricity, heating fuel, water, sewer, and telephone)

\$
\$

Home maintenance (repairs and upkeep)

\$
\$

Food

\$
\$

Clothing

\$
\$

Laundry and dry-cleaning

\$
\$

Medical and dental expenses

\$
\$

You Your 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.

(AM CURRENTLY A DEATH ROW INMATE IN THE STATE OF ARIZONA)

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

Executed on: OCTOBER 17, 2018.


(Signature)