

18-7300 **ORIGINAL**
No.

IN THE
SUPREME COURT OF THE UNITED STATES

October Term, 2018

Jan 02 2019

THE CLERK

MICHAEL LEE MILLIS, Petitioner,

v.

S. KALLIS, Warden, Respondent.

On Petition for a Writ of Certiorari
to the United States Court of Appeals
or the Sixth Circuit

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner, Michael Millis, a pro se prisoner, asks leave to file the attached certiorari petition without prepayment of costs and to proceed in forma pauperis. Millis sought leave to so proceed in the United States District Court for the Eastern District of Kentucky, and leave was granted in part; Millis paid \$25.00 to satisfy the full appellate court filing fee. Millis's affidavit in support of this motion, and his institutional account statements, are attached hereto.

Respectfully submitted,

This 2nd day of January, 2019; by:

Michael L. Millis

Michael L. Millis
Reg. No. 02887-025
Federal Correctional Institution
P.O. Box 5000
Pekin, Illinois 61555-5000

Appearing pro se.

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

I, Michael Millis, 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>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Gifts	\$ <u>65.00</u>	\$ <u>N/A</u>	\$ <u>65.00</u>	\$ <u>N/A</u>
Alimony	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child Support	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): <u>Prison Pay:</u>	\$ <u>15.12</u>	\$ <u>N/A</u>	\$ <u>15.12</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>80.12</u>	\$ <u>N/A</u>	\$ <u>80.12</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
N/A	_____	_____	\$_____
	_____	_____	\$_____
	_____	_____	\$_____

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	_____	_____	\$_____
	_____	_____	\$_____
	_____	_____	\$_____

4. How much cash do you and your spouse have? \$ See attachments.

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution <u>See attachments</u>	Type of account <u>See attachments</u>	Amount you have <u>\$ See attachments</u>	Amount your spouse has <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 N/A Value _____	<input type="checkbox"/> Other real estate N/A Value _____
<input type="checkbox"/> Motor Vehicle #1 N/A Year, make & model _____ Value _____	<input type="checkbox"/> Motor Vehicle #2 N/A Year, make & model _____ Value _____
<input type="checkbox"/> Other assets Description _____ Value _____	N/A

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
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
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? <input type="checkbox"/> Yes <input type="checkbox"/> No	N/A	N/A
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	N/A	N/A
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ _____ N/A	\$ _____ N/A
Home maintenance (repairs and upkeep)	\$ _____ N/A	\$ _____ N/A
Food	\$ 15.00	\$ _____ N/A
Clothing	\$ 10.00	\$ _____ 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.	\$ 10.00	\$ 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: N/A	\$ 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:	\$ 35.00	\$ 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?

I hope so, so I'll answer yes.

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.

It would be difficult for me to comply with booklet format, and the copy reproduction requirements, of the Supreme Court Rules.

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

Executed on: January 2nd, 2019

Michael L. Millis

(Signature)