

No. 18-7422

IN THE
SUPREME COURT OF THE UNITED STATES

ORIGINAL

Supreme Court, U.S.
FILED

JAN 09 2019

OFFICE OF THE CLERK

DAVID LEE WILLIAMS — PETITIONER
(Your Name)

VS.

DARREL VANNOY, State of Louisiana — 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.

David L. Williams
(Signature)

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

I, David L. Williams #98840, 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>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>NONE</u>	\$ <u>NONE</u>	\$ <u>NONE</u>	\$ <u>NONE</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</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>	<u>NONE</u>	<u>N/A</u>	\$ <u>0.00</u>
<u>NONE</u>	<u>NONE</u>	<u>N/A</u>	\$ <u>0.00</u>
<u>NONE</u>	<u>NONE</u>	<u>N/A</u>	\$ <u>0.00</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>	<u>NONE</u>	<u>N/A</u>	\$ <u>0.00</u>
<u>NONE</u>	<u>NONE</u>	<u>N/A</u>	\$ <u>0.00</u>
<u>NONE</u>	<u>NONE</u>	<u>N/A</u>	\$ <u>0.00</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>NONE</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
<u>NONE</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
<u>NONE</u>	\$ <u>0.00</u>	\$ <u>0.00</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 NONE

☐ Other real estate
Value NONE

☐ Motor Vehicle #1
Year, make & model NONE
Value 0.00

☐ Motor Vehicle #2
Year, make & model NONE
Value 0.00

☐ Other assets
Description NONE
Value 0.00

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

NONE

\$ 0

\$ 0

NONE

\$ 0

\$ 0

NONE

\$ 0

\$ 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

NONE

S

S

NONE

S

S

NONE

S

S

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

\$ NONE

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

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

\$ 0

\$ 0

Home maintenance (repairs and upkeep)

\$ 0

\$ 0

Food

\$ 0

\$ 0

Clothing

\$ 0

\$ 0

Laundry and dry-cleaning

\$ 0

\$ 0

Medical and dental expenses

\$ 0

\$ 0

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>0</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>0</u>
Life	\$ <u>0</u>	\$ <u>0</u>
Health	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Other: <u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s)	\$ <u>0</u>	\$ <u>0</u>
Department store(s)	\$ <u>0</u>	\$ <u>0</u>
Other: <u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>0</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly expenses:	\$ <u>0</u>	\$ <u>0</u>

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.

I have been in prison for thirty-five years (35) and only earn \$.04 an hour as incentive pay. see Certified State Attached from Offender Banking Services.

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

Executed on: January, 20 19

David A. Williams
(Signature)

STATEMENT OF ACCOUNT

(Certified Institutional Equivalent)

I hereby certify that David Williams, inmate number 98840

the Plaintiff herein has the following sums of money on account to his credit at LOUISIANA STATE PENITENTIARY,

Angola, Louisiana 70712, the institution where he is confined:

Prison Drawing Account: \$ 1.42 -

Prison Savings Account: \$ 150.84

A. Cash \$ _____

B. Bonds \$ 0

I further certify that the average monthly deposits for the preceding six months is \$ 0-

(The average monthly deposits are to be determined by adding the deposits made during a given month and dividing that total by the number of deposits made during that month. This is repeated for each of the six months. The average from each of the six months are to be added together and the total is to be divided by six)

I further certify that the average monthly balance for the preceding six months is \$.12

(The average monthly balanced is to be determined by adding each days balance for a given month and dividing that total by the number of days in that month. This is to be repeated for each of the six months. The balance of the six months are to be added together and the total is to be divided by six).

Date Certified

Sandra Rasso
Signature of Authorized Officer of Institution

DATE

DEC 26 2018

CERTIFIED

line 1 fmt rl - shft hld chrs hld ln RESULT
.DATE

CANTEEN SALES LOG

C000644

* LSP	. SALES	. SALES	.RECEIPT.	STA.T.	. SALES	. 3564	.STOR.
*NUMBER.	TIME	. AMOUNT	.NUMBER	. NUM.Y.VOID	. DATE	.OF SALES	.LOC .
*=====.							
098840	15:09:33	1.56	D090483	4229 1	04/03/18	1.25	6406
098840	11:55:22	1.00	D105075	4229 1	07/04/18	1.00	6406
098840	09:20:47	0.50	D111283	4229 1	08/11/18	0.50	6406

..... END REPORT

line 1	fmt	rl	shft	hld chrs	hld ln	RESULT
DATE						

DEPARTMENT OF CORRECTIONS INCENTIVE PAY LOG

D000646

*2281	* LSP	.HR	.HOW	.P.WORK.WEEK OF	.PAY	.DRAWINGS	.SAVINGS	.DRAWINGS	.SAVINGS
*NUMBER	.S	.UPDATED	.S	.ASGN	PAY	.RATE	AMOUNT	AMOUNT	.OLD BAL
*=====	=====	=====	=====	=====	=====	=====	=====	=====	=====
098840	040			0R34 03/04/18	.020		0.40	0.40	
098840	040			0r34 03/11/18	.020		0.40	0.40	
098840	040			0R34 03/18/18	.020		0.40	0.40	
098840	040			0R34 03/25/18	.020		0.40	0.40	
098840	016			0r34 04/01/18	.020		0.16	0.16	
098840	040			0R34 04/08/18	.020		0.40	0.40	
098840	040			0R34 04/15/18	.020		0.40	0.40	
098840	040			0R34 04/22/18	.020		0.40	0.40	
098840	040			0R34 04/29/18	.020		0.40	0.40	
098840	040			0R34 05/13/18	.020		0.40	0.40	
098840	040			0R34 05/20/18	.020		0.40	0.40	
098840	040			0r34 05/27/18	.020		0.40	0.40	
098840	040			0R34 06/03/18	.020		0.40	0.40	
098840	000			0R34 06/10/18	.020		0.00	0.00	
098840	040			0R34 06/17/18	.020		0.40	0.40	
098840	040			0R34 06/24/18	.020		0.40	0.40	
098840	040			0R34 07/01/18	.020		0.40	0.40	

line	24	fmt	rl	-	shft	hld	chrs	hld	ln	RESULT
098840	040				0R34	07/08/18	.020	0.40		0.40
098840	040				0R34	07/15/18	.020	0.40		0.40
098840	040				0R34	07/22/18	.020	0.40		0.40
098840	040				0R34	07/29/18	.020	0.40		0.40
098840	040				0R34	08/05/18	.020	0.40		0.40
098840	040				0R34	08/12/18	.020	0.40		0.40
098840	040				0R34	08/19/18	.020	0.40		0.40
098840	040				0R34	08/26/18	.020	0.40		0.40
..... END REPORT										

line 1 fmt 0 rl - shft hld chrs hld ln (-1)RESULT
.DATE

E000650

* LSP	.TRANSM.	TRANSM	.T.	AMOUNT	AMOUNT	. POST
*NUMBER.	NUMBER.	DATE	.Y.	DEPOSIT	WITHDRAWL.	TRANSACTION DESCRIPTION . DATE .
*=====.						
098840	0Y60AE	04/20/18	D		1.24	51CPCOPIES 180420
098840	0Y60AE	04/20/18	S		9.81	51CPCOPIES 180420
098840	0A04AE	05/22/18	D		1.60	51PSPOSTAGE 180522
098840	0A04AE	05/22/18	S		20.17	51PSPOSTAGE 180522
098840	0A11AE	05/23/18	S		2.70	51CPCOPIES 180523
098840	0A61AE	06/06/18	D		0.80	51PSPOSTAGE 180606
098840	0A61AE	06/06/18	S		15.19	51PSPOSTAGE 180606
098840	0A61AE	06/06/18	S		2.89	51PSPOSTAGE 180606
098840	0C81AE	07/24/18	D		1.40	51PSPOSTAGE 180724
098840	0C81AE	07/24/18	S		13.75	51PSPOSTAGE 180724
098840	0D81AE	08/15/18	D		0.70	51PSPOSTAGE 180815
098840	0D81AE	08/15/18	S		14.45	51PSPOSTAGE 180815

..... END REPORT

< NO PF30 INFORMATION FOUND FOR DOC 098840 .TRANSMIT AGAIN TO CONTINUE >>
TE

E000650

*TO.	LSP	.TRANSM.	TRANSM	.T.	AMOUNT	.AMOUNT	.HOLD	.TRN.S.	TRANSACTN.	
*TR.	NUMBER.	NUMBER.	DATE	.Y.	DEPOSIT	.WITHDRAWL.	DATE	.NUM.T.	NOT POSTD.	POSTE
*==	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====
30	098840	0D81AE	08/15/18	S		14.45	00000000	074	P	BATCH
28	098840	0D81AE	08/15/18	D		0.70	00000000	074	P	BATCH
36	098840	0C81AE	07/24/18	S		13.75	00000000	073	P	BATCH
34	098840	0C81AE	07/24/18	D		1.40	00000000	073	P	BATCH
58	098840	0A61AE	06/06/18	S		2.89	00000000	072	P	BATCH
56	098840	0A61AE	06/06/18	S		15.19	00000000	071	P	BATCH
54	098840	0A61AE	06/06/18	D		0.80	00000000	071	P	BATCH
14	098840	0A11AE	05/23/18	S		2.70	00000000	070	P	BATCH
38	098840	0A04AE	05/22/18	S		20.17	00000000	069	P	BATCH
36	098840	0A04AE	05/22/18	D		1.60	00000000	069	P	BATCH
26	098840	0Y60AE	04/20/18	S		9.81	00000000	068	P	BATCH
24	098840	0Y60AE	04/20/18	D		1.24	00000000	068	P	BATCH

..... END REPORT