

No. 18-7545

ORIGINAL

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IN THE
SUPREME COURT OF THE UNITED STATES

In Re

BRIAND WILLIAMS — PETITIONER
(Your Name)

ORIGINAL

Supreme Court, U.S.
FILED

JAN 07 2019

OFFICE OF THE CLERK

VS.

California & Edmund G. Brown, Jr. — 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):

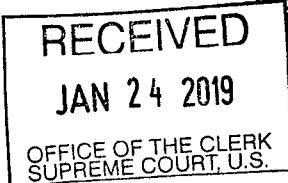
Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

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: _____
California Penal Code Sec. §1240, subd. (a) (1), or

A copy of the order of appointment is appended.




(Signature)

but declined a restitution hearing. Williams filed a notice of appeal from the sentence.

We appointed counsel to represent Williams on appeal. After counsel's review of the record, he filed a brief raising no issues.

On March 27, 2018, we advised Williams by mail that he had 30 days within which to personally submit any contentions or issues that he wished to raise on appeal.

In response, Williams filed two petitions for writs of habeas corpus. We will consider those petitions separate from this appeal.

We have reviewed the entire record and are satisfied that Williams's attorney has fully complied with his responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

NOT TO BE PUBLISHED.

GILBERT, P. J.

We concur:

YEGAN, J.

PERREN, J.

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

I, BRIAND WILLIAMS, 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>In Prison</u>	\$ <u>NvrMarried</u>	\$ <u>ZERO</u>	\$ <u>N/A</u>
Self-employment	\$ <u>ZERO</u>	\$ <u>N/A</u>	\$ <u>ZERO</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>ZERO</u>	\$ <u>N/A</u>	\$ <u>ZERO</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Gifts	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Alimony	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Child Support	\$ <u>No Kids</u>	\$ <u>N/A</u>	\$ <u>No Kids</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>In Prison</u>	\$ <u>N/A</u>	\$ <u>In Prison</u>	\$ <u>N/A</u>
Other (specify): <u>NONE</u>	\$ <u>Nothing</u>	\$ <u>N/A</u>	\$ <u>Nothing</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>BROKE</u>	\$ <u>N/A</u>	\$ <u>BROKE</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
County Govt Aid	NA 2907 S. Grand Ave Los Angeles, Ca 90007	1/14	\$ 221.00 Welfare
			\$ _____
			\$ _____

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
Never Married	NA " " "	NA " "	\$ Does Not Apply
			\$ Does Not Apply
			\$ Does Not Apply

4. How much cash do you and your spouse have? \$ NONE - Never Been Married - OK
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
I Need One	NONE	\$ ZERO	\$ Never Married
" " "	NONE	\$ ZERO	\$ Never Married
" " "	NONE	\$ ZERO	\$ Never Married

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

Home
Value Nvr Own One

Other real estate
Value Nothing No Where

Motor Vehicle #1
Year, make & model None Anywhere
Value N/A

Motor Vehicle #2
Year, make & model None Anywhere
Value N/A

Other assets
Description Had been Homeless as of August 2016 long before I went to Prison. I am Broke!
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
<u>None The YDS</u>	\$ <u>Nothing/Nobody</u>	\$ <u>Never Married</u>
<u>Nobody does</u>	\$ _____	\$ _____
<u>Me Any Bunch</u>	\$ _____	\$ _____

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

Name	Relationship	Age
<u>BRIAND WILLIAMS</u>	<u>Me - Myself and only I.</u>	<u>53</u>

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)	\$ <u>In Prison</u>	\$ <u>Never Married</u>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>In Prison</u>	\$ <u>Never Married</u>
Home maintenance (repairs and upkeep)	\$ <u>N/A</u>	\$ <u>Never Married</u>
Food	\$ <u>Prison I/M</u>	\$ <u>Never Married</u>
Clothing	\$ <u>Prison I/M</u>	\$ <u>Never Married</u>
Laundry and dry-cleaning	\$ <u>Prison I/M</u>	\$ <u>Never Married</u>
Medical and dental expenses	\$ <u>Prison I/M</u>	\$ <u>Never Married</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>None</u>	\$ <u>n/</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>None</u>	\$ <u>n/</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>None</u>	\$ <u>n/</u>
Life	\$ <u>None</u>	\$ <u>n/</u>
Health	\$ <u>None</u>	\$ <u>n/</u>
Motor Vehicle	\$ <u>None</u>	\$ <u>n/</u>
Other: <u>Nothing</u>	\$ <u>None</u>	\$ <u>n/</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Nothing</u>	\$ <u>None</u>	\$ <u>n/a</u>
Installment payments		
Motor Vehicle	\$ <u>None</u>	\$ <u>n/a</u>
Credit card(s)	\$ <u>None</u>	\$ <u>n/a</u>
Department store(s)	\$ <u>None</u>	\$ <u>n/a</u>
Other: <u>Nothing</u>	\$ <u>None</u>	\$ <u>n/a</u>
Alimony, maintenance, and support paid to others	\$ <u>None</u>	\$ <u>n/a</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>None</u>	\$ <u>n/a</u>
Other (specify): <u>Nothing</u>	\$ <u>None</u>	\$ <u>n/a</u>
Total monthly expenses:	\$ <u>None</u>	\$ <u>n/a</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 am an ADA Prison Inmate Confined to a Wheelchair, So, I don't have a job either.

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

Executed on: January 21, 2019


(Signature)