

NO.

IN THE SUPREME COURT OF THE UNITED STATES

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FLOYD ANDREW BROWN

Appellant / Defendant

-Vs.-

UNITED STATES OF AMERICA

Appellee / Plaintiff

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ON WRIT OF CERTIORARI TO THE

WESTERN DISTRICT OF MICHIGAN; SOUTHERN DIVISION;

UNITED STATES DISTRICT COURT

Hon. Robert Homes Bell, U.S. District Judge, presiding

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MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Supreme Court Rule 39:2

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Submitted By;

*Brown A Brown*  
Mr. Floyd A. Brown ... Fed. No. 16834040 ...

P.O. Box 24550 ... United States Penitentiary ...

Tucson, Arizona ... 85734-4550 ...

Asst. by; Brian L. Brown, JHL,

Member National Lawyers Guild

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The petitioner asks leave to file the attached petition for Writ of certiorari without the prepayment of costs and to proceed in forma pauperis.

1. Petitioner has been previously granted leave to proceed in forma pauperis in the United States District Court for the Western District Of Michigan, Southern Division. -see- File No. 1:15 -cv- 716, -see also- [ United States v. Brown, 2016 U.S. Dist. LEXIS 118057 ( W.D. Mich. 2015) -]; -see also- [ United States v. Brown, 2016 U.S. Dist. LEXIS 112010 ( W.D. Mich. 2015) -].

2. Further Petitioner was denied COA, in the United States Court of Appeals for the Sixth Circuit. -see- No. 15-2457, -see also- [ Floyd Andrew Brown v. United States, 2017 U.S. App. LEXIS 15607 (6th Cir. 2017) ].

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

Format From Forms

4. Petitioner's affidavit or declaration in support of this motion is attached thereto.

5. That the appointment was [ not ] made under the provisions of the law.

6. A copy of the order is attached thereto;

Wherefore for the above and foregoing reasons, move this Court to accept the filing in forma pauperis. And any other relief that this Court deems just in this matter, and the leave to do so.

Entered this 13 date of Jan 201[18].

Respectfully Submitted by;

*Floyd A. Brown*  
Floyd A. Brown ... Fed. No. 16834040 ...

P.O. Box 24550 ... United States Penitentiary ...

Tucson, A 85734-4550 ...

Assisted By Brian L. Brown, JHL

Member National Lawyers Guild (2010)

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

I, Floyd A Brown, 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	\$ 19.80	\$ -0-	\$ -0-	\$ -0-
Self-employment	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Income from real property (such as rental income)	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Interest and dividends	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Gifts	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Alimony	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Child Support	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Retirement (such as social security, pensions, annuities, insurance)	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Disability (such as social security, insurance payments)	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Unemployment payments	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Public-assistance (such as welfare)	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Other (specify): _____	\$ -0-	\$ -0-	\$ -0-	\$ -0-
<b>Total monthly income:</b>	<b>\$ -0-</b>	<b>\$ -0-</b>	<b>\$ -0-</b>	<b>\$ -0-</b>

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
USP TUCSON		3-1-17	\$ 15.17
USP TUCSON		3-1-18	\$ 19.80
USP TUCSON			\$

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
NA	N/A	-0-	\$ -0-
/	/	/	\$ /
			\$ /

4. How much cash do you and your spouse have? \$ 10  
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
		\$ <u>0</u>	\$ <u>0</u>
		\$ <u>0</u>	\$ <u>6</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.

<input type="checkbox"/> Home	<input type="checkbox"/> Other real estate
Value <u>N/A</u>	Value <u>N/A</u>
<input type="checkbox"/> Motor Vehicle #1	<input type="checkbox"/> Motor Vehicle #2
Year, make & model <u>N/A</u>	Year, make & model <u>N/A</u>
Value <u>N/A</u>	Value <u>N/A</u>
<input type="checkbox"/> Other assets	
Description <u>N/A</u>	
Value <u>N/A</u>	

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>- 15 -</u>	\$ <u>20 -</u>	\$ <u>- 0 -</u>
<u>    </u>	\$ <u>    </u>	\$ <u>10 -</u>
<u>    </u>	\$ <u>    </u>	\$ <u>- 8 -</u>

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

Name	Relationship	Age
<u>N/A</u>	<u>    </u>	<u>    </u>
<u>    </u>	<u>    </u>	<u>    </u>
<u>    </u>	<u>    </u>	<u>    </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>- 0 -</u>	\$ <u>- 0 -</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>- 0 -</u>	\$ <u>- 0 -</u>
Home maintenance (repairs and upkeep)	\$ <u>- 0 -</u>	\$ <u>- 0 -</u>
Food	\$ <u>- 0 -</u>	\$ <u>- 0 -</u>
Clothing	\$ <u>- 0 -</u>	\$ <u>- 0 -</u>
Laundry and dry-cleaning	\$ <u>- 0 -</u>	\$ <u>- 0 -</u>
Medical and dental expenses	\$ <u>- 0 -</u>	\$ <u>- 0 -</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>—o—</u>	\$ <u>—o—</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>—o—</u>	\$ <u>—o—</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>—o—</u>	\$ <u>—o—</u>
Life	\$ <u>—o—</u>	\$ <u>—o—</u>
Health	\$ <u>—o—</u>	\$ <u>—o—</u>
Motor Vehicle	\$ <u>—o—</u>	\$ <u>—o—</u>
Other: _____	\$ <u>—o—</u>	\$ <u>—o—</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>—o—</u>	\$ <u>—o—</u>
Installment payments		
Motor Vehicle	\$ <u>—o—</u>	\$ <u>—o—</u>
Credit card(s)	\$ <u>—o—</u>	\$ <u>—o—</u>
Department store(s)	\$ <u>—o—</u>	\$ <u>—o—</u>
Other: _____	\$ <u>—o—</u>	\$ <u>—o—</u>
Alimony, maintenance, and support paid to others	\$ <u>—o—</u>	\$ <u>—o—</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>—o—</u>	\$ <u>—o—</u>
Other (specify): _____	\$ <u>—o—</u>	\$ <u>—o—</u>
<b>Total monthly expenses:</b>	<b>\$ <u>—o—</u></b>	<b>\$ <u>—o—</u></b>

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? \_\_\_\_\_

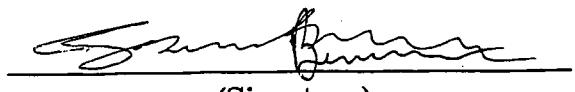
If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I do not have the money at this time for the  
initial fee. I'm unable at this time.

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

Executed on: February 13<sup>th</sup>, 2018



(Signature)

Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001

January 8, 2018

Scott S. Harris  
Clerk of the Court  
(202) 479-3011

Mr. Floyd A. Brown  
Prisoner ID #16834-040  
USP Tucson  
P.O. Box 24550  
Tucson, AZ 85734-4550

Re: Floyd Andrew Brown, Jr.  
v. United States  
Application No. 17A724

Dear Mr. Brown:

The application for an extension of time within which to file a petition for a writ of certiorari in the above-entitled case has been presented to Justice Kagan, who on January 8, 2018, extended the time to and including January 14, 2018.

This letter has been sent to those designated on the attached notification list.

Sincerely,

Scott S. Harris, Clerk

by

Jacob C. Travers  
Case Analyst

1/12/2018