

18-8124

No. _____

Supreme Court, U.S.
FILED

NOV 29 2018

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Tony R. Gross. — PETITIONER
(Your Name)

VS.

James Haviland, Warden-ACI — 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):

--The Ohio Supreme Court: The 6th Circuit Court Of Appeals,

and in this court just a few months ago.

☐ 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.

NOTE: Please see attached Exhibit 1,
A.C.I.'s Cashier's Officer's
Statement of my account.

ORIGINAL

Tony R. Gross
(Signature)

RECEIVED

DEC 7 - 2018

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, **Tony R. Gross,**, 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>17.00</u>	\$ <u>n/a</u>	\$ <u>17.00</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>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</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>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Total monthly income:	\$ <u>17.00</u>	\$ <u>n/a</u>	\$ <u>17.00</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
ODRC	PO 4500 Lima, OH. 45801	1996-2018	\$ 17.00
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

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	n/a	n/a	\$ n/a
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ 26.00
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
n/a	n/a	\$ n/a	\$ n/a
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

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

☐ Home
Value n/a

☐ Other real estate
Value n/a

☐ Motor Vehicle #1
Year, make & model n/a
Value n/a

☐ Motor Vehicle #2
Year, make & model n/a
Value n/a

☐ Other assets
Description n/a
Value n/a

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>n/a</u>	\$ <u>n/a</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>n/a</u>	\$ <u>n/a</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>n/a</u>	\$ <u>n/a</u>
Life	\$ <u>n/a</u>	\$ <u>n/a</u>
Health	\$ <u>n/a</u>	\$ <u>n/a</u>
Motor Vehicle	\$ <u>n/a</u>	\$ <u>n/a</u>
Other: <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Installment payments		
Motor Vehicle	\$ <u>n/a</u>	\$ <u>n/a</u>
Credit card(s)	\$ <u>n/a</u>	\$ <u>n/a</u>
Department store(s)	\$ <u>n/a</u>	\$ <u>n/a</u>
Other: <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Alimony, maintenance, and support paid to others	\$ <u>n/a</u>	\$ <u>n/a</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>n/a</u>	\$ <u>n/a</u>
Other (specify): <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Total monthly expenses:	\$ <u>17.00</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? n/a

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

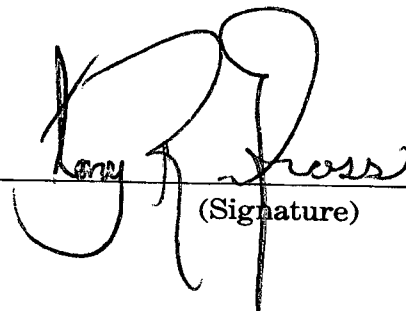
If yes, how much? n/a

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.
I am unsure if I can even get the brief copied--about 5.00 for 2 copies and then I have to pay about 5.00 or more per envelope--mailing the court a copy and then serving the attorney general a copy on the very, very limited resources I have.

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

Executed on: 11.29, 2018


(Signature)