

18-8428
No. 18-1073

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
MAR 04 2019
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Samuel V. Martinez--- PETITIONER

VS.

Travis Trani, Co. State Penitentiary/Attorney General--- 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*.

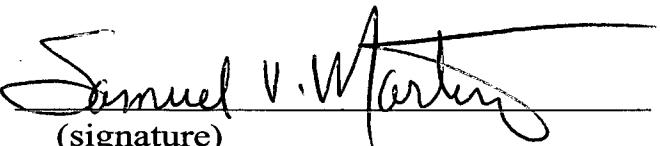
[X] Petitioner has previously been granted leave to proceed *in forma pauperis* in the following courts(s):

United States District Court For the State of Colorado.

The United States Court of Appeals for the Tenth Circuit

[] 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.


(signature)

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

RECEIVED
MAR 13 2019
OFFICE OF THE CLERK
SUPREME COURT, U.S.

I, Samuel V. Martinez, 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 deduction for taxes or otherwise.

Income Source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$12	\$ none	\$12	\$none
Self-employment	\$0	\$	\$13	\$
Income from real property (such as rental income)	\$0	\$	\$0	\$
Interest and dividends	\$0	\$	\$0	\$
Gifts	\$20	\$	\$20	\$
Alimony	\$0	\$	\$0	\$
Child Support	\$20%	\$	\$20%	\$
Retirement (such as social security, \$0 pensions, annuities, insurance)		\$	\$0	\$
Disability (such as social security, \$0 insurance payments)		\$	\$0	\$
Unemployment payments	\$0	\$	\$0	\$
Public assistance (such as Welfare)	\$0	\$	\$0	\$
Other (specify)_____	\$0	\$	\$0	\$
Total Monthly Income	\$30-35	\$	\$30-35	\$

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
Dept. of Correction	Co. State Pen.	04-2015-present	\$13
			\$
			\$

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
Not Applicable			\$
			\$
			\$

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.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
None		\$0	\$
		\$	\$
		\$	\$

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

Home
Value N/A

Other real estate
Value _____

Motor Vehicle #1
Year, Make & Model N/A
Value _____

Motor Vehicle #2
Year, Make & Model N/A
Value _____

Other assets
Description None
Value _____

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

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

Name	Relationship	Age
Leslie P. Escobedo Martinez	Daughter	12

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.

9.

Not Applicable

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$0	\$
Are real estate taxes included? _____ Yes _____ No		
Is property insurance included? _____ Yes _____ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$0	\$
Home maintenance (repairs and upkeep)	\$0	\$
Food	\$0	\$
Clothing	\$0	\$
Laundry and dry-cleaning	\$0	\$
Medical and dental expenses	\$0	\$
Transportation (not including motor vehicle payments)	\$0	\$
Recreation, entertainment, newspapers, magazines, etc.	\$0	\$
Homeowner's or renter's	\$0	\$
Life	\$0	\$

Health	\$0	\$
Motor Vehicle	\$0	\$
Other: _____	\$0	\$
Taxes (not deducted from wages or included in mortgage payments) (specify): _____	\$0	\$
Installment payments:		
Motor Vehicle	\$0	\$
Credit card(s)	\$0	\$
Department store(s)	\$0	\$
Other: _____	\$0	\$
Alimony, maintenance, and support paid to others	\$0	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$0	\$
Other (specify): _____	\$0	\$
Total monthly expenses:	\$0	\$

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 x 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 x No

11. Have you paid – or will you be paying – anyone other than an attorney (such as a paralegal or typist) any money for services in connection with this case, including the completion of this form?

 Yes x No

If yes, how much? _____

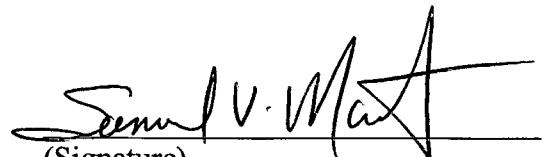
If yes, state the person's name, address, and telephone number:

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

Monies had was spent on Post Conviction attorney. Now basically live off of state pay.

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

Executed on: March
February 03, 2019


(Signature)