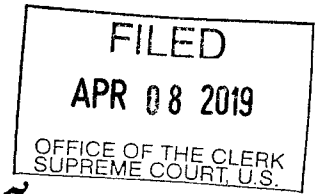


**ORIGINAL**

No: **18 - 8966**



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**In The  
Supreme Court of the United States**

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**E. DRAKE,**

*Petitioner*

v.

**U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS,**  
*Respondents*

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**On Petition for Writ of Certiorari to the United States  
Court of Appeals for the Fifth Circuit**

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**MOTION FOR LEAVE TO PROCEED *IN FORMA*  
*PAUPERIS***

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Eric Drake  
Pro-Se  
10455 North Central Expressway  
Suite 109  
Dallas, Texas 75231

214-477-9288

April 10, 2019

*original*

A handwritten signature, possibly "JD", in the bottom right corner.

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*.

Petitioner has previously been granted leave to proceed in *forma pauperis* in the following court(s):

- a). Fifth Circuit Court of Appeals

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

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Eric Drake', written over a horizontal line.

Eric Drake  
10455 N. Central Expressway  
Suite 109  
Dallas, Texas 75231  
912-281-7100

18-8966

ORIGINAL

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

I, Eric Drake, 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	\$ -0-	\$ -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)	\$ 1,147.00	\$ -0-	\$ 1,147.00	\$ -0-
Unemployment payments	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Public-assistance (such as welfare)	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
<b>Total monthly income:</b>	<b>\$ 1,147.00</b>	<b>\$ -0-</b>	<b>\$ 1,147.00</b>	<b>\$ -0-</b>

FILED

APR 08 2019

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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>N/A</u>	<u>N/A</u>	\$ <u>- 0 -</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>N/A</u>	<u>N/A</u>	\$ <u>- 0 -</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ \_\_\_\_\_  
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>checking</u>	\$ <u>33.74</u>	\$ <u>N/A - 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 (do not own a home)</u>	Value <u>N/A - Never owned a home/real estate</u>
<input checked="" type="checkbox"/> Motor Vehicle #1	<input type="checkbox"/> Motor Vehicle #2
Year, make & model <u>2003 C Class</u>	Year, make & model _____
Value <u>Mercedes Benz (not running)</u>	Value _____
<input type="checkbox"/> Other assets	
Description <u>None</u>	
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
<u>None</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
<u>                    </u>	\$ <u>                    </u>	\$ <u>                    </u>
<u>                    </u>	\$ <u>                    </u>	\$ <u>                    </u>

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
<u>None</u>	<u>N/A</u>	<u>N/A</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>205.00</u>	\$ <u>N/A</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>75.00</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>-0-</u>	\$ <u>-0-</u>
Food	\$ <u>195.00</u>	\$ <u>N/A</u>
Clothing	\$ <u>20.00</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>-0-</u>	\$ <u>-0-</u>
Medical and dental expenses	\$ <u>50.00</u>	\$ <u>N/A</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>100.00</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>-0-</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>-0-</u>	\$ <u>N/A</u>
Life	\$ <u>-0-</u>	\$ <u>N/A</u>
Health	\$ <u>-0-</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>180.00</u>	\$ <u>N/A</u>
Other: _____	\$ <u>-0-</u>	\$ <u>-0-</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>-0-</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>160.00</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>20.00</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>-0-</u>	\$ <u>N/A</u>
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>-0-</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>-0-</u>	\$ <u>N/A</u>
Other (specify): _____	\$ _____	\$ _____
<b>Total monthly expenses:</b>	\$ <u>1,205.00</u>	\$ <u>N/A -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

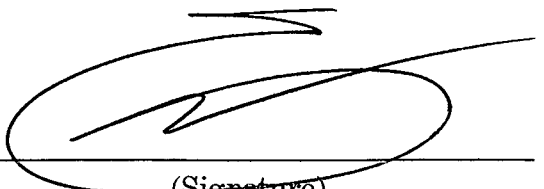
If yes, how much? \_\_\_\_\_

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

Executed on: April 10, 20 19

  
(Signature)

No: \_\_\_\_\_

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**In The  
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**PROOF OF SERVICE**  
**MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

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