

Case No.

18-8996

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED

JAN 04 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

ZACK ZAFER DYAB,

Petitioner,

v.

UNITED STATES OF AMERICA

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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

The petitioner had previously been granted leave to proceed *in forma pauperis* in the United States Supreme Court.

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

Zy Dyab

Zack Zafer Dyab

18-8996

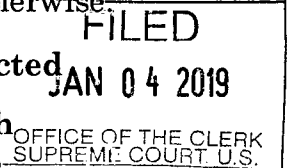
ORIGINAL

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

I, Zack Zafer Dyab, 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 myself and my spouse the average amount of money received from each of the following sources during the last 12 months adjusted to show the monthly rate, using gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income Source	Average monthly Amount		Amount expected	
	During past 12 months You	Spouse	next month You	Spouse
Employment	\$5.25	\$2000	\$5.25	\$2000
Self-Employment	\$0	\$0	\$0	\$0
Income from real property	\$0	\$0	\$0	\$0
(such as rental income	\$0	\$0	\$0	\$0
Interest and dividends	\$0	\$0	\$0	\$0
Gifts	\$100	\$0	\$100	\$0
Alimony	\$0	\$0	\$0	\$0
Child Support	\$0	\$0	\$0	\$0
Retirement/SSA	\$0	\$0	\$0	\$0
Disability	\$0	\$0	\$0	\$0
Unemployment Payments	\$0	\$0	\$0	\$0
Public Assistance	\$0	\$0	\$0	\$0
Other (specify):	\$0	\$0	\$0	\$0
Total Monthly Income	\$105.25	\$2000	\$105.25	\$2000



2. My 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.S.P Leavenworth	Leavenworth, KS	12/01/2017	\$ 5.25
U.S.P Elkton	Elkton, OH	02/01/2012	\$ 10.00

3. Employment history for my spouse 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
Anoka County Action Program	1201 34 th Ave NE Blaine, MN 55434	10/18/2013	\$ 2000

4. How much cash do you and your spouse?

Type of account	Amount you have	Amount spouse has
Checking	\$ 0	\$ 200

5. List the assets, their values, which you or your spouse own. Not to include clothing or ordinary household furnishings.

Home Value \$ -0- Other Real Estate \$ -0-

☒ Motor Vehicle # 1
2017 Toyota; Leased

☒ Motor Vehicle # 2
None

☒ Other Assets: Judgments

☒ NONE

6. Every person, business or organization owing me or the mother of my minor aged children money, and the amount owed.

NONE

7. Persons who rely on me or my spouse for support

Name	Relationship	Age
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NONE

8. The average monthly expenses of me and my family. Amounts shown separately for those paid by me and my spouse. Payments are adjusted to show the monthly rate.

	You	Spouse
Rent or home-mortgage payment	\$0	\$800
Real estate taxes included	<input checked="" type="checkbox"/> Yes	
Property insurance included	<input checked="" type="checkbox"/> Yes	
Utilities (electricity, heating fuel, water, sewer)	\$0	\$200
Phone	\$40	\$50
Home maintenance	\$0	\$0
Food	\$40	\$400
Clothing	\$0	\$20
Laundry and dry-cleaning	\$10	\$30
Medical/dental expenses	\$8	\$40
Transportation (no auto payments)	\$0	\$0
Recreation, entertainment, newspapers, magazines, etc.	\$0	\$0
Insurance (not deducted from wages or included in mortgage payments)		
Life	\$0	\$0
Health	\$0	\$5
Motor vehicle	\$0	\$0
Other	\$0	\$0
Taxes (not deducted from wages or included in mortgage payments)	\$0	\$0
Installment payments		
Motor vehicle - Lease	\$0	\$200
Credit Card(s)	\$0	\$80
Department Store(s)	\$0	\$0
Other	\$0	\$0
Alimony, maintenance, and support paid to others	\$0	\$0
Regular expenses for operation of business, profession, or farm	\$0	\$0
Other	\$0	\$0
Total monthly expenses	<u>\$98</u>	<u>\$1,825</u>

9. Do I expect any major changes to my monthly income or expenses or my spouse's during the next 12 months?

☒ NO

10. Have I paid, or will I be paying, an attorney money for services in connection with this case. Including the completion of this form?

☒ NO

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

☒ NO

12. Is there any other information that will help why I cannot pay the costs of this case?

I am incarcerated and I have no significant income and work at the B.O.P at \$5.25 per month.

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

Executed on January 2, 2019

Zack Zafer Dyab
Zack Zafer Dyab

Before me appeared Zack Zafer Dyab, known to me as the same, who set forth his hand to this affidavit in support of this motion to appear *in forma pauperis*.

Kenneth L. Johnson II

Notary

Seal

Date

Phone #

1-2-19

913-682-8700

