

No. 18-9186

ORIGINAL
PG. A1

IN THE
SUPREME COURT OF THE UNITED STATES

In Re

BRIAND WILLIAMS — PETITIONER
(Your Name)

ORIGINAL

Supreme Court, U.S.
FILED

MAR 30 2019

OFFICE OF THE CLERK

VS.

Calif. Dept. of Corrections & Reh, et al. — 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):


☒ 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: California Penal Code Sec. §1240, subd. (a) (1), or

☒ A copy of the order of appointment is appended.


(Signature)

RECEIVED
MAY 7 - 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION: 1

PG. A2

The People v. Williams
Briand Williams
B283473
LOS ANGELES No. BA443387

COURT OF APPEAL – SECOND DIST.

FILED

Sep 26, 2017

JOSEPH A. LANE, Clerk
kstpierre Deputy Clerk

THE COURT:

Pursuant to appellant's request for appointment of counsel, and under the authority of Penal Code Section 1240, subdivision (a) (1), the following attorney is appointed counsel for appellant on this appeal:

Steven Brody

Appellant's opening brief shall be filed within thirty days from the date of this order.

Appellant is directed to keep the court informed of his/her mailing address at all times. If you move, you MUST notify the clerk of this court immediately; otherwise you may not receive important notices concerning your appeal.

ROTHSCHILD, P.J.
Presiding Justice

Attorney's Address:

Steven Brody (271616)
Law Offices of Steven Brody
350 S. Figueroa St., Suite 975
Los Angeles, CA 90071

Attorney's Phone:
(213) 290-5294

Appellant's Address:

Briand Williams AM-6025
California Health Care Facility
P.O. Box 32050
Stockton, CA 95213

PE A3

The State Bar of California

Steven Andrew Brody - #271616**Current Status: Active**

This member is active and may practice law in California.

See below for more details.

Profile Information

The following information is from the official records of The State Bar of California.

Bar Number:	271616		
	Law Offices of Steven Brody	Phone Number:	(213) 290-5294
Address:	350 S Figueroa St Ste 975		
	Los Angeles, CA 90071	Fax Number:	(213) 403-5323
	Map it		
Email:	stevebrodylaw@gmail.com		
County:	Los Angeles	Undergraduate School:	Reed Coll; Portland OR
District:	District 2		
Sections:	None	Law School:	Stanford Univ Law School; Stanford CA

Status History

Effective Date	Status Change
Present	Active
12/1/2010	Admitted to The State Bar of California

Actions Affecting Eligibility to Practice Law in California**Disciplinary and Related Actions**

This member has no public record of discipline.

Administrative Actions

This member has no public record of administrative actions.

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

I, BRIAND WILLIAMS, 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>In Prison</u>	\$ <u>Nvr Married</u>	\$ <u>ZERO</u>	\$ <u>N/A</u>
Self-employment	\$ <u>ZERO</u>	\$ <u>N/A</u>	\$ <u>ZERO</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>ZERO</u>	\$ <u>N/A</u>	\$ <u>ZERO</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Gifts	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Alimony	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Child Support	\$ <u>No Kids</u>	\$ <u>N/A</u>	\$ <u>No Kids</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>NONE</u>	\$ <u>N/A</u>	\$ <u>NONE</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>In Prison</u>	\$ <u>N/A</u>	\$ <u>In Prison</u>	\$ <u>N/A</u>
Other (specify): <u>NONE</u>	\$ <u>Nothing</u>	\$ <u>N/A</u>	\$ <u>Nothing</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>BROKE</u>	\$ <u>N/A</u>	\$ <u>BROKE</u>	\$ <u>N/A</u>

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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
County Govt Aid	207 S. Grand Ave LA Ca. 90007	N/A	\$ 221.00 Welfare
			\$
			\$

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
Never Married	N/A	N/A	\$ Does Not Apply
" "	"	"	\$ Does Not Apply
" "	"	"	\$ Does Not Apply

4. How much cash do you and your spouse have? \$ NONE - Never Been Married - OK
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
I Need One	NONE	\$ ZERO	\$ Never Married
" " "	NONE	\$ ZERO	\$ Never Married
" " "	NONE	\$ ZERO	\$ Never Married

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

☒ Home
Value Nvr Own One

☒ Other real estate
Value Nothing No Where

☒ Motor Vehicle #1
Year, make & model None Anywhere
Value N/A

☒ Motor Vehicle #2
Year, make & model None Anywhere
Value N/A

☒ Other assets
Description Had been Homeless as of August 2016 long before I went to Prison. I am Broke!
Value N/A

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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>Power PLS</u>	\$ <u>Nothing/Nobody</u>	\$ <u>Never Married</u>
<u>Nobody Does</u>	\$ _____	\$ _____
<u>Mr Andy Funds</u>	\$ _____	\$ _____

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

Name	Relationship	Age
<u>BRIAND WILLIAMS</u>	<u>Me - Myself and only I.</u>	<u>53</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>Prison I/M</u>	\$ <u>Never Married</u>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>Prison I/M</u>	\$ <u>Never Married</u>
Home maintenance (repairs and upkeep)	\$ <u>N/A</u>	\$ <u>Never Married</u>
Food	\$ <u>Prison I/M</u>	\$ <u>Never Married</u>
Clothing	\$ <u>Prison I/M</u>	\$ <u>Never Married</u>
Laundry and dry-cleaning	\$ <u>Prison I/M</u>	\$ <u>Never Married</u>
Medical and dental expenses	\$ <u>Prison I/M</u>	\$ <u>Never Married</u>

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	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>None</u>	\$ <u>n/a</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>None</u>	\$ <u>n/a</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>None</u>	\$ <u>n/a</u>
Life	\$ <u>None</u>	\$ <u>n/a</u>
Health	\$ <u>None</u>	\$ <u>n/a</u>
Motor Vehicle	\$ <u>None</u>	\$ <u>n/a</u>
Other: <u>Nothing</u>	\$ <u>None</u>	\$ <u>n/a</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Nothing</u>	\$ <u>None</u>	\$ <u>n/a</u>
Installment payments		
Motor Vehicle	\$ <u>None</u>	\$ <u>n/a</u>
Credit card(s)	\$ <u>None</u>	\$ <u>n/a</u>
Department store(s)	\$ <u>None</u>	\$ <u>n/a</u>
Other: <u>Nothing</u>	\$ <u>None</u>	\$ <u>n/a</u>
Alimony, maintenance, and support paid to others	\$ <u>None</u>	\$ <u>n/a</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>None</u>	\$ <u>n/a</u>
Other (specify): <u>Nothing</u>	\$ <u>None</u>	\$ <u>n/a</u>
Total monthly expenses:	\$ <u>None</u>	\$ <u>n/a</u>

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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 am an ADA Prison Inmate Confined to a Wheelchair, So, I don't have a job either.

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

Executed on: March 31st, 20 19


(Signature)