

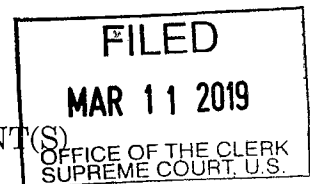
No. 18-9283

IN THE  
SUPREME COURT OF THE UNITED STATES

Constance F. Russell — PETITIONER  
(Your Name)

VS.

State of Alabama, 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*. 10

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.

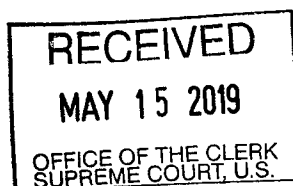
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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: \_\_\_\_\_, or

☐ a copy of the order of appointment is appended.

Constance F. Russell  
(Signature)



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

I, Constance F. Russell, 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	\$ _____	\$ _____	\$ _____	\$ _____
Self-employment	\$ <u>450.00</u>	\$ <u>3200.00</u>	\$ _____	\$ <u>1</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>1</u>	\$ <u>5</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>Same</u>	\$ <u>0</u>
Gifts <u>(Friends Family Customers)</u>	\$ <u>0</u>	\$ <u>150.00</u>	\$ <u>1</u>	\$ <u>3</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>1</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ _____	\$ <u>1</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>1</u>	\$ <u>1</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>Same</u>	\$ <u>Same</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>Same</u>	\$ <u>Same</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>1</u>	\$ <u>1</u>
<b>Total monthly income:</b>	\$ <u>450.00</u>	\$ <u>3350.00</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
Self Employed	4882 James Street / Huntsville Alabama, 35811	10 years	\$ 450.00
			\$
			\$

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
Self Employed	4882 James St. Huntsville, AL 35811	1988	\$3000.00-3200.00 Approx
			\$
			\$

4. How much cash do you and your spouse have? \$ -None-  
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
Checking	\$ 50.00	\$ same
	\$	\$
	\$	\$

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

<input checked="" type="checkbox"/> Home	<input type="checkbox"/> Other real estate
Value \$ 150,000.00	Value _____

<input checked="" type="checkbox"/> Motor Vehicle #1	<input checked="" type="checkbox"/> Motor Vehicle #2
Year, make & model 92 Toyota Camry	Year, make & model 95 TownCar
Value \$ 2000.00	Value \$ 1200.00

☒ Other assets  
Description My Husbands Automotive Equipment  
Value Approx. \$ 75,000.00

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

N/A

\$ N/A

\$ N/A

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

M P R

Daughter

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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)

\$ 735.00

\$ same

Are real estate taxes included? ☒ Yes ☐ No

Is property insurance included? ☒ Yes ☐ No

Utilities (electricity, heating fuel,  
water, sewer, and telephone)

~~Phone~~ 275.00  
~~Phone~~ 285.00  
~~Utilities~~

\$ same

Home maintenance (repairs and upkeep)

\$ 150.00

\$ same

Food

\$ 340.00

\$ same

Clothing

\$ 75.00

\$ 0

Laundry and dry-cleaning

\$ 0

\$ 0

Medical and dental expenses

\$ 100.00

For Family

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>50.00</u>	\$ <u>100.00</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>0</u>
Life	\$ <u>0</u>	\$ <u>0</u>
Health	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>135.00</u>	\$ <u>Same</u>
Other: _____	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Past-due State + Federal</u>	\$ <u>550.00</u>	\$ <u>Same</u>
<u>Should be at least</u>		
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ _____
Other: <u>Loan</u>	\$ <u>0</u>	\$ <u>125.00</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>0</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>525.00</u>
Other (specify): _____	\$ _____	\$ _____
<b>Total monthly expenses:</b>	\$ _____	\$ _____

3,445.00

*My husband is the primary  
Income of these expenses*

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

*Don't Know*

☐ 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:

*IN CIRCUIT ONLY PAID ATTORNEY \$1850.00 out of 2,000  
Also made Request for Appoint of Counsel in this  
proceeding.*

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.

*This case and the prior case of my Husband has greatly Impoverished us.*

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

Executed on: 12 May, 2019

*Constance J. Russell*  
(Signature)