

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JOE LOUIS ARMENTA- PETITIONER

vs.

SCOTT KERNAN- RESPONDENT

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for 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 court(s):

California Supreme Court, Court of Appeal (4th Dist, Div. 2.), and Superior Court for Riverside County (Note: There was no official grant, but petitioner has never been charged any docketing fees. Petitioner has remained committed to a state prison.)

United States District Court- Central District of California (Note: Official grant of *Informa Pauperis Request* on October 15, 2015.)

United States Court of Appeals- Ninth Circuit (Note: There was no official grant, but petitioner was never charged any docketing fees and “Fee Status” is listed as “IFP” on the court’s docket.)

☐ [] 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.

/s/ Richard V. Myers
(Richard V. Myers for Joe Louis Armenta)

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

I, Joe Louis Armenta, 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 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>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$0.00</u>
<u>Self-employment</u>	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$0.00</u>
Income from real Property (such as Rental income)	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$ n/a</u>
Interest and dividends	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$0.00</u>
Gifts	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$0.00</u>
Alimony	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$0.00</u>
Child Support	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$ n/a</u>
Retirement (such as social security, pensions, annuities, insurance)	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$ n/a</u>
Disability (such as social security, insurance payments)	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$ n/a</u>

Unemployment payments	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$ n/a</u>
Public-assistance (such as welfare)	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$ n/a</u>
Other (specify): _____	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$ n/a</u>
Total monthly Income	<u>\$0.00</u>	<u>\$ n/a</u>	<u>\$0.00</u>	<u>\$ n/a</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>n/a</u>	_____	_____	\$ <u>0.00</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>n/a</u>	_____	_____	\$ <u>0.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$0.00_____.
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
n/a			\$ 0.00
			\$
			\$

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	n/a	<input type="checkbox"/> Other real estate	n/a
Value	0.00	Value	0.00
<input type="checkbox"/> Motor vehicle #1	n/a	<input type="checkbox"/> Motor vehicle #2	n/a
Year, make & model	n/a	Year, make & model	n/a
Value	0.00	Value	0.00
<input type="checkbox"/> Other assets	n/a		
Description	n/a		
Value	0.00		

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing Money	Amount owed to you	Amount owed to your spouse
n/a	\$ n/a	\$ 0.00
	\$	\$
	\$	\$

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

Name	Relationship	Age
<u>n/a</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) Are any real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ <u>0.00</u>	\$ <u>n/a</u>
Utilities (electricity, heating, fuel, water, sewer, and telephone)	\$ <u>0.00</u>	\$ <u>n/a</u>
Home maintenance (repairs and upkeep)	\$ <u>0.00</u>	\$ <u>n/a</u>
Food	\$ <u>0.00</u>	\$ <u>n/a</u>
Clothing	\$ <u>0.00</u>	\$ <u>n/a</u>
Laundry and dry-cleaning	\$ <u>0.00</u>	\$ <u>n/a</u>
Medical and dental expenses	\$ <u>0.00</u>	\$ <u>n/a</u>
Transportation (not including Motor vehicle payments)	\$ <u>0.00</u>	\$ <u>n/a</u>

Recreation, entertainment,
newspapers, magazines, ect. \$ 0.00 \$ n/a

Homeowner's or renter's \$ 0.00 \$ n/a

Life \$ 0.00 \$ n/a

Health \$ 0.00 \$ n/a

Motor vehicle \$ 0.00 \$ n/a

Other: n/a \$ 0.00 \$ n/a

Taxes (not deducted from wages or
included in mortgage payments) \$ 0.00 \$ n/a

(specify): n/a

Installment payments \$ 0.00 \$ n/a

Motor vehicle \$ 0.00 \$ n/a

Credit card(s) \$ 0.00 \$ n/a

Department store(s) \$ 0.00 \$ n/a

Other: n/a \$ 0.00 \$ n/a

Alimony, maintenance, and
support paid to others \$ 0.00 \$ n/a

Regular expenses for operation
of business, profession, or
farm (attached detailed statement) \$ 0.00 \$ n/a

Other (specify): \$ 0.00 \$ n/a

Total monthly expenses: \$ 0.00 \$ n/a

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 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? _____

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? _____ n/a

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 have been committed to the California Department of Corrections since my conviction in 2011. I have been sentenced to a total indeterminate term of 91 years to life. I have no asserts.

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

Executed on: OCTOBER 8TH, 2018.

JOE AZARITA
Signature