

ARMANDO D. ISLAS, JR., 032762
AS PC YUMA - CIBOLA, 6A 48
P. O. BOX 8909
SAN LUIS, AZ 85349
PETITIONER PRO SE

19-5051

Supreme Court, U.S.
FILED

JUN 26 2019

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

ARMAND DUARTE ISLAS, JR.,
PETITIONER,
v.
CHARLES L. RYAN, DIRECTOR,
ARIZONA DEPT. OF CORRECTIONS,
AND
MARK BRNOVICH, ATTORNEY GENERAL
OF THE STATE OF ARIZONA,
RESPONDENTS.

Nº

ON PETITION FOR A WRIT OF
CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT, Nº 18-16856

MOTION TO PROCEED
IN FORMA PAUPERIS

THE PETITIONER IN THE ABOVE ENCAPTIONED PETITION FOR A WRIT OF CERTIORARI HEREBY MOVES THIS COURT FOR LEAVE TO PROCEED IN FORMA PAUPERIS, PURSUANT TO SUPREME COURT RULES 39 AND 12.2, AS AN INMATE CONFINED AT THE INSTITUTION SHOWN ABOVE.

AN AFFIDAVIT IN SUPPORT HEREOF IS ATTACHED. HE SO MOVES TO SEEK THE GRANT PROVIDED UNDER SUPREME COURT RULE 39.4 ALLOWING THE DOCKETING OF THE PETITION, AND FOR ITS ACCOMPANYING PAPERS, WITHOUT FEE.

WHEREFORE, THE PETITIONER PRAYS THAT THE COURT GRANT THIS MOTION, FOR LEAVE TO PROCEED IN FORMA PAUPERIS, AND TO FILE THE PETITION AND THIS MOTION.

I DECLARE PURSUANT TO 28 USC § 1746 THAT THE FOREGOING IS TRUE AND CORRECT, AND IS SUPPORTED BY A TRUE AND CORRECT COPY OF THE APPENDED AFFIDAVIT.

RESPECTFULLY SUBMITTED THIS 26th DAY OF JUNE, 2019.

Armando A. Islas
13/ ARMANDO D. ISLAS, JR.
PETITIONER PRO SE

JK.

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SUPREME COURT, U.S.

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

I, ARMANDO O. ISLAS, JR., 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>N/A</u> | \$ _____ | \$ <u>N/A</u> |
| Self-employment | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Income from real property (such as rental income) | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Interest and dividends | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Gifts | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Alimony | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Child Support | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Retirement (such as social security, pensions, annuities, insurance) | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Disability (such as social security, insurance payments) | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Unemployment payments | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Public-assistance (such as welfare) | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Other (specify): _____ | \$ <u>—</u> | \$ _____ | \$ <u>—</u> | \$ _____ |
| Total monthly income: | \$ _____ | \$ <u>N/A</u> | \$ _____ | \$ <u>N/A</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 |
|--------------------|--------------------------------------|-----------------------|-------------------|
| ASPC YUMA - CIBOLA | P. O. BOX 8909 SAN LUIS, AZ 85349 | IN CUSTODY SINCE 2014 | \$ _____ |
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |

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 |
|----------|---------|---------------------|-------------------|
| N/A | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |

4. How much cash do you and your spouse have? \$ 0
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 | _____ | \$ _____ | \$ _____ |
| _____ | _____ | \$ _____ | \$ _____ |
| _____ | _____ | \$ _____ | \$ _____ |

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

☐ Home
Value N/A

☐ Other real estate
Value N/A

☐ Motor Vehicle #1
Year, make & model N/A
Value _____

☐ Motor Vehicle #2
Year, make & model N/A
Value _____

☐ Other assets
Description N/A
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 |
|--|--------------------|----------------------------|
| N/A | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |

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

| Name | Relationship | Age |
|-------|--------------|-------|
| N/A | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

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) | \$ 0 _____ | \$ N/A _____ |
| 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) | \$ 0 _____ | \$ _____ |
| Home maintenance (repairs and upkeep) | \$ 0 _____ | \$ _____ |
| Food | \$ 0 _____ | \$ _____ |
| Clothing | \$ 0 _____ | \$ _____ |
| Laundry and dry-cleaning | \$ 0 _____ | \$ _____ |
| Medical and dental expenses | \$ 0 _____ | \$ _____ |

| | You | Your spouse |
|--|--------|-------------|
| Transportation (not including motor vehicle payments) | \$ 0 | \$ N/A |
| Recreation, entertainment, newspapers, magazines, etc. | \$ 0 | \$ |
| Insurance (not deducted from wages or included in mortgage payments) | | |
| Homeowner's or renter's | \$ N/A | \$ |
| Life | \$ | \$ |
| Health | \$ | \$ |
| Motor Vehicle | \$ | \$ |
| Other: _____ | \$ | \$ |
| Taxes (not deducted from wages or included in mortgage payments) | | |
| (specify): _____ | \$ 0 | \$ |
| Installment payments | | |
| Motor Vehicle | \$ N/A | \$ |
| Credit card(s) | \$ | \$ |
| Department store(s) | \$ | \$ |
| Other: _____ | \$ | \$ |
| Alimony, maintenance, and support paid to others | \$ N/A | \$ |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ 0 | \$ |
| Other (specify): _____ | \$ | \$ |
| Total monthly expenses: | \$ 0 | \$ 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 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 HAVE BEEN IMPRISONED FOR OVER FIVE YEARS.

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

Executed on: JUNE 26, 2019

Armando D. Islas JR.
/s/ ARMANDO D. ISLAS, JR.

(Signature)