

No. \_\_\_\_\_

19-5164

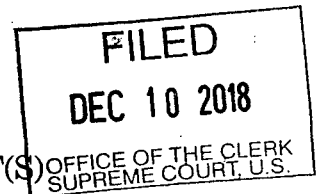
IN THE

SUPREME COURT OF THE UNITED STATES

Lamont Stewart / Pro-se PETITIONER  
(Your Name)

VS.

Lorie Davis — 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: \_\_\_\_\_, or

☐ a copy of the order of appointment is appended.

Lamont Stewart #1940731  
(Signature)

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

I, Lamont Stewart, 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>incarcerated 5 yrs</u>	\$ <u>unsure</u>	\$ <u>NA</u>	\$ <u>unsure</u>
Self-employment	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Income from real property (such as rental income)	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Interest and dividends	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Gifts	\$ <u>50 to 100</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Alimony	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Child Support	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Disability (such as social security, insurance payments)	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Unemployment payments	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Public-assistance (such as welfare)	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Other (specify): _____	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
<b>Total monthly income:</b>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</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
<u>NA</u>	<u>NA</u>	<u>NA</u>	\$ <u>NA</u>
			\$
	<u>Iv been in prison 5 years now</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>unkown</u>	<u>NA</u>	<u>NA</u>	\$ <u>NA</u>
			\$
			\$

4. How much cash do you and your spouse have? \$ NA  
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
<u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
	\$	\$
	\$	\$

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

☐ Home  
Value NA

☐ Other real estate  
Value NA

☐ Motor Vehicle #1  
Year, make & model NA  
Value \_\_\_\_\_

☐ Motor Vehicle #2  
Year, make & model NA  
Value \_\_\_\_\_

☐ Other assets  
Description NA  
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

NA

\$ NA

\$ NA

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
<u>M.M.</u>	<u>SON</u>	<u>17</u>
<u>S.M.</u>	<u>SON</u>	<u>16</u>
<u>L.S.</u>	<u>daughter</u>	<u>11</u>
<u>D.S.</u>	<u>SON</u>	<u>12</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>NA</u>	\$ <u>UNSURE</u>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>NA</u>	\$ <u>UNSURE</u>
Home maintenance (repairs and upkeep)	\$ <u>NA</u>	\$ <u>UNSURE</u>
Food	\$ <u>NA</u>	\$ <u>UNSURE</u>
Clothing	\$ <u>NA</u>	\$ <u>UNSURE</u>
Laundry and dry-cleaning	\$ <u>NA</u>	\$ <u>UNSURE</u>
Medical and dental expenses	\$ <u>NA</u>	\$ <u>UNSURE</u>

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? Have not paid in completing this form but in all processes before

If yes, state the attorney's name, address, and telephone number:

(254) 753-6455 1. Ronald Moody 204 N. 6th Waco, Texas 76701 (Trial Attorney)  
(254) 296-0020 2. Walter M. Reeves, Jr. 100 N. 6th Suite 802 Waco, Texas 76701 (Attorney For Direct Appeal + P.D.A.)  
(210) 255-8525 3. Dayna Jones 1800 McCullough Ave. San Antonio, Texas 78212 (11.07 Habeas Attorney)  
(512) 228-4672 4. Deni Garcia 3000 Joe DiMaggio Blvd. Suite 34 Roundrock Texas 78665 (22.54 Habeas Attorney & Co. Attorney)

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 spent all the money I had on attorney's involving this case and appeal process

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

Executed on: May 28th, 2019

Lamont Stewart #1940731  
(Signature)

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>NA</u>	\$ <u>UNsure</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>NA</u>	\$ <u>UNsure</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>NA</u>	\$ <u>UNsure</u>
Life	\$ <u>UNsure</u>	\$ <u>UNsure</u>
Health	\$ <u>UNsure</u>	\$ <u>UNsure</u>
Motor Vehicle	\$ <u>NA</u>	\$ <u>UNsure</u>
Other: _____	\$ <u>NA</u>	\$ <u>UNsure</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>NA</u>	\$ <u>UNsure</u>
Installment payments		
Motor Vehicle	\$ <u>NA</u>	\$ <u>UNsure</u>
Credit card(s)	\$ <u>NA</u>	\$ <u>UNsure</u>
Department store(s)	\$ <u>NA</u>	\$ <u>UNsure</u>
Other: _____	\$ <u>NA</u>	\$ <u>UNsure</u>
Alimony, maintenance, and support paid to others	\$ <u>NA</u>	\$ <u>UNsure</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>NA</u>	\$ <u>NA</u>
Other (specify): _____	\$ <u>NA</u>	\$ <u>NA</u>
<b>Total monthly expenses:</b>	\$ <u>NA</u>	\$ <u>NA</u>

## Affidavit of Declaration

I, Lamont Renard Stewart, declare all the information enclosed in Motion for leave to proceed in FORMA PAUPERIS is true and correct to the best of my knowledge.

I declare under penalty of perjury the foregoing is true

Executed on May 28<sup>th</sup> 2019

Lamont Renard Stewart #1940731  
Signature Pro-se