

19-5380 ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES
19-5380
CASE NO. _____

IN RE CHARLES LAYMON COX

§ PETITION FOR EXTRAORDINARY WRIT
§ ON APPEAL FROM
§ THE UNITED STATES COURT OF APPEALS
§ FIFTH CIRCUIT
§

MOTION FOR LEAVE TO FILE
MOTION TO PROCEED
IN FORMA PAUPERIS

FILED
JUN 27 2019
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Petitioner Charles Laymon Cox pro se, herein Motions for Leave to File, Motion to Proceed In Forma Pauperis. Fed.R.App.Proc. 24(a).

Charles Laymon Cox has previously been granted Leave to Proceed In Forma Pauperis from the United States District Court for the Northern District of Texas. Case No. 4:16-CV-767-0, on July 27, 2018. appx.pg. 24. Please find attached Petitioner's Affidavit and Declaration in support of Motion to Proceed In Forma Pauperis.

"I declare and state under penalty of perjury that the foregoing is true and correct." Signed on this day June 27, 2019

Respectfully Submitted

Charles Laymon Cox

TDCJ ID# 01463721
Clements Unit
9601 Spur 591
Amarillo, TX. 79107

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

I, Charles Laymon Cox, 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		FILED Spouse 27 2013 OFFICE OF THE CLERK SUPREME COURT OF THE UNITED STATES
	You	Spouse	You	Spouse	
Employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Self-employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Interest and dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Gifts	\$ <u>40.00</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Child Support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Other (specify): <u>NONE</u>	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	
Total monthly income:	\$ <u>40.00</u>	\$ <u>N/A</u>	\$ <u>0</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
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</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>N/A</u>	<u>N/A</u>	\$ <u>N/A</u>

4. How much cash do you and your spouse have? \$ N/A Not Married

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
<u>Inmate Trust Fund</u>	<u>Trust Fund</u>	\$ <u>60.00</u>	\$ <u>N/A</u>
		\$ <u> </u>	\$ <u> </u>
		\$ <u> </u>	\$ <u> </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 NONE 0

Other real estate
Value NONE 0

Motor Vehicle #1
Year, make & model NONE
Value NONE 0

Motor Vehicle #2
Year, make & model NONE
Value NONE 0

Other assets
Description NONE
Value NONE 0

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>NONE</u>	\$ <u>0</u>	\$ <u>N/A</u>
	\$ <u>0</u>	\$ <u>0</u>

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

Name	Relationship	Age
<u>0</u> <u>NONE</u>	<u>N/A</u>	<u>N/A</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>0</u>	\$ <u>N/A</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>N/A</u>
Food	\$ <u>0</u>	\$ <u>N/A</u>
Clothing	\$ <u>0</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>N/A</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ N/A
Life	\$ 0	\$ N/A
Health	\$ 0	\$ N/A
Motor Vehicle	\$ 0	\$ N/A
Other: <u>NONE</u>	\$ 0	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>NONE</u>	\$ 0	\$ N/A
Installment payments		
Motor Vehicle	\$ 0	\$ N/A
Credit card(s)	\$ 0	\$ N/A
Department store(s)	\$ 0	\$ N/A
Other: <u>NONE</u>	\$ 0	\$ N/A
Alimony, maintenance, and support paid to others	\$ 0	\$ N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ N/A
Other (specify): <u>NONE</u>	\$ 0	\$ N/A
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 am incarcerated at the Clements Unit, 9601 Souri 591, Amarillo, Tx. 79107.
I have no money of my own. All money I receive in my Inmate Trust Fund is
the result of Charity from a friend, approximately \$500.00 per year for
hygiene and necessary items purchased from the Unit Commissary.*

I declare under penalty of perjury that the foregoing is true and correct. *And a copy of
Motion to Proceed and Affidavit has been served on the Texas Atty. General and Asst.*

Executed on: June 27, 2019

Charles Graymon Cox
(Signature)