

19-5418

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

ORIGINAL

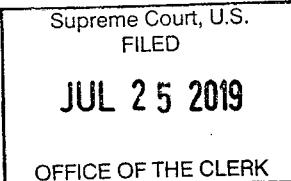
IN THE

SUPREME COURT OF THE UNITED STATES

Walter Lee Brown — PETITIONER  
(Your Name)

VS.

Whalen — 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.

Walter Lee Brown  
(Signature)

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

I, Asier Lee Brooks, 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.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
Employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>None</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
<b>Total monthly income:</b>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</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
N/A	N/A	N/A	\$ 0

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	N/A	N/A	\$ 0

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.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
N/A	\$ 0	\$ 0

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 Value <u>NONE</u>	<input type="checkbox"/> Other real estate Value <u>NONE</u>
<input type="checkbox"/> Motor Vehicle #1 Year, make & model <u>NONE</u> Value <u>N/A</u>	<input type="checkbox"/> Motor Vehicle #2 Year, make & model <u>NONE</u> Value <u>N/A</u>
<input type="checkbox"/> Other assets Description <u>NONE</u> Value <u>N/A</u>	

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**

*None*

*N/A*

*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* \$ *0*

Are real estate taxes included?  Yes  No  
Is property insurance included?  Yes  No

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

\$ *0* \$ *0*

Home maintenance (repairs and upkeep)

\$ *0* \$ *0*

Food

\$ *0* \$ *0*

Clothing

\$ *0* \$ *0*

Laundry and dry-cleaning

\$ *0* \$ *0*

Medical and dental expenses

\$ *0* \$ *0*

	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>0</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>0</u>	\$ <u>0</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s)	\$ <u>0</u>	\$ <u>0</u>
Department store(s)	\$ <u>0</u>	\$ <u>0</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>0</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>0</u>
Other (specify): <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
<b>Total monthly expenses:</b>	<u>0</u>	<u>0</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? N/A

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

N/A

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:

N/A

12. Provide any other information that will help explain why you cannot pay the costs of this case.

THE PETITIONER HEREIN HAS BEEN INCARCERATED FOR ALMOST 29 YEARS WITHOUT ANY INCOME. NO FUNDS TO PAY COSTS AND FEES.

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

Executed on: July 17, 2019.



(Signature)

STATE OF GEORGIA

SWORN AFFIDAVIT

ATTNALL COUNTY

Affiant's Name: WALTER LEE BROWN  
Address: G.S.P., 300 1<sup>ST</sup> AVENUE SOUTH  
City: Reidsville State: Georgia ZIP: 30453

Pursuant to 28 U.S.C. 1746, the above-named Affiant hereby certifies, deposes, and states that the foregoing facts are, to the best of his knowledge, true and correct.

Affiant further affirms that he is over 18 years of age and is competent to testify in this matter. Affiant submits that this Affidavit is based on his personal knowledge of its contents and offers his sworn testimony for use in this and any other lawful matter and/or proceeding:

ON JULY 2 AND 10 OF 2019, TWO SEPARATE REQUESTS WERE SENT VIA TO THE ACCOUNTING DEPARTMENT AT GEORGIA STATE PRISON ("GSP") REQUESTING "VERIFICATION OF THE UNDERSIGNED'S INSTITUTIONAL INMATE ACCOUNT ALONG WITH A RETURNED TRUST FUND ACCOUNT STATEMENT ATTACHED". AS OF THE MAILING DATE OF THE WITHIN CORRESPONDENCE (PETITION FOR WRIT OF CERTIORARI) THE UNDERSIGNED HAS NOT YET RECEIVED ANY REPLY-RESPONSE TO HIS REQUESTS FROM THE APPROPRIATE G.S.P. ACCOUNTING OFFICER FOR SUBMISSION TO THIS COURT IN SUPPORT OF HIS MOTION TO PROCEED IN FORMA BAYERIS (IFP)

AS REQUIRED BY THE PRISON LITIGATION REFORM ACT  
(PLRA) OF 1995, PAB. L NO. 104-134, 110 STAT. 132  
(1996).

IN LIEU OF THE CERTIFICATION OF MY INMATE AC-  
COUNT AND TRUST FUND EXCANT STATEMENT VERIFYING  
MY INABILITY TO PAY THE COSTS AND FEES ASSOCIATED  
WITH THE FILING OF THE INSTANT PETITION FOR WRIT  
OF CERTIORARI, PETITIONER-AFFIANT STATES THAT HIS  
INMATE ACCOUNT HAS HAD NO FUNDS IN IT SINCE  
APRIL 26, 2017, AND HE CANNOT PAY THE COSTS  
AND FEES FOR THE FILING OF THE INSTANT PETI-  
TION. (GJZ)

FURTHER AFFIANT SAYETH NOT.

Pursuant to 28 U.S.C. 1746, this Affidavit is given under penalty of perjury.

So sworn this the 17<sup>th</sup> day of July, 2019.

  
Walter S. Brown  
AFFIANT

NOTARIZED

Sworn and subscribed before me: