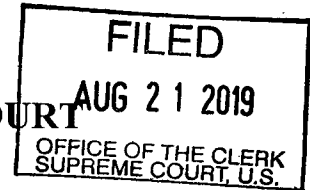


H.R.H. Andrew J. Avitabile
c/o WDOC-23916-WHCC
P.O. Box 160
Newcastle, WY (Near) 82701
Non-Domestic; Non-Federal

ORIGINAL

19-5880
Case No. _____

IN THE UNITED STATES SUPREME COURT



H.R.H. Andrew J. Avitabile,
(aka Larson by coercion only),
Petitioner,

vs.

STATE OF WYOMING,
Warden, Wyoming Honor and Conservation Camp (WHCC),
Respondent,

MOTION FOR LEAVE TO FILE *IN FORMA PAUPERIS*

The Plaintiff asks leave to file the attached Petition for Habeas Corpus without prepayment of costs and to proceed *in forma pauperis*.

[X] Plaintiff has previously been granted leave to file in forma pauperis in every court he has had any filings in.

Furthermore, he is an inmate in the Wyoming Dept. of Corrections at the WHCC facility and earns only a minimal income.

Plaintiff's affidavit or declaration in support of his motion is attached hereto this 20
August
Day of ~~July~~ 2019.

A handwritten signature in black ink, appearing to read "Andrew J. Avitabile".

H.R.H. Andrew J. Avitabile

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

I, Andrew J. Avitabile, am the plaintiff 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 give security therefore; and I believe I am entitled to redress.

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 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	\$ 51.60	N.A.	\$ 51.60	N.A.
Self-employment	\$ -0-	N.A.	\$ -0-	N.A.
Income from real property (such as rental income)	\$ -0-	N.A.	\$ -0-	N.A.
Interest and dividends	\$ -0-	N.A.	\$ -0-	N.A.
Gifts	\$ -0-	N.A.	\$ -0-	N.A.
Alimony	\$ -0-	N.A.	\$ -0-	N.A.
Child support	\$ -0-	N.A.	\$ -0-	N.A.
Retirement (such as social security, pensions, annuities, insurance)	\$ -0-	N.A.	\$ -0-	N.A.
Disability (such as social security, insurance payments)	\$ -0-	N.A.	\$ -0-	N.A.
Unemployment payments	\$ -0-	N.A.	\$ -0-	N.A.
Public-assistance (such as welfare)	\$ -0-	N.A.	\$ -0-	N.A.
Other (specify)	\$ -0-	N.A.	\$ -0-	N.A.
Total monthly income:	\$ 51.60	N.A.	\$ 51.60	N.A.

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

Employer	Address	Dates of Employment	Gross monthly pay
Wyoming Honor and Conservation Camp	P.O. Box 160 Newcastle, WY 82701	January, 2019 to present	<u>\$ 40.00</u>

List your spouse's employment history for the last 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>

How much cash do you and your spouse have? \$ N.A.
Below, state any money you or you spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
-0- <u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>

List the assets, and their values, which you own or your spouse owns.

Home value	\$N.A.	Other real estate	\$N.A.
Motor Vehicle	\$N.A.	2 nd Motor vehicle	\$N.A.
Other assets	\$N.A.		

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>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>

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>

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 monthly rate.

	Your	Your spouse
Rent or home mortgage payment?	<u>N.A.</u>	<u>N.A.</u>
<u>No taxes or Property Insurance at all.</u>		
Utilities(electric, heat, fuel, sewer, phone.	<u>N.A.</u>	<u>N.A.</u>
Home maintenance (repairs, upkeep)	<u>N.A.</u>	<u>N.A.</u>
Food	<u>\$4.50</u>	<u>N.A.</u>
Clothing	<u>\$3.21</u>	<u>N.A.</u>
Laundry and dry-cleaning	<u>N.A.</u>	<u>N.A.</u>
Medical and dental exp.	<u>\$5.68</u>	<u>N.A.</u>
Transportation (not including vehicle maint)	<u>N.A.</u>	<u>N.A.</u>
Recreation, entertainment newspapers, magazines, etc.	<u>\$8.50</u>	<u>N.A.</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renters	<u>N.A.</u>	<u>N.A.</u>
Life	<u>N.A.</u>	<u>N.A.</u>
Health	<u>N.A.</u>	<u>N.A.</u>
Motor Vehicle	<u>N.A.</u>	<u>N.A.</u>
Other	<u>N.A.</u>	<u>N.A.</u>
Taxes (not deducted from wages or included in mortgage payments)		
Specify	<u>N.A.</u>	<u>N.A.</u>
Installment payments		
Motor vehicle	<u>N.A.</u>	<u>N.A.</u>
Credit cards	<u>N.A.</u>	<u>N.A.</u>
Departments stores	<u>N.A.</u>	<u>N.A.</u>
Other	<u>N.A.</u>	<u>N.A.</u>
Alimony Maintenance, and support paid to others	<u>N.A.</u>	<u>N.A.</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement.	<u>N.A.</u>	<u>N.A.</u>
Other (See attach detailed statement.)	<u>\$28.93</u>	<u>N.A.</u>
Total monthly expenses	<u>\$50.82</u>	<u>N.A.</u>

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 **X**

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 **X**

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 **X**

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

Deductions = 10% mandatory, to a non-interest bearing savings account that I have no access to until my release. Also, I must repay my Indigent status debt which equals 50% of my earnings until that indigence debt is paid off.

I currently am obligated to pay 20% of any income I receive (pay or gift, etc.) to the Federal District Court in Wyoming for the filing fee of my 18 USCS 1983 challenging my conditions of confinement. See attached spreadsheet account of finances.

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury pursuant to W.S. 6-5-301; 28 USC 1746; 18 USC 1621 that the above information contained in the foregoing filing is true and correct to the best of my knowledge. My declaration under the penalty of perjury with my signature constitutes an affidavit swearing the accuracy of the information contained within this document as true to the best of my knowledge and understanding. The use of a Notary Public does not constitute any waiver of Royal Authority or Privileged Status and is merely used as a means of properly identifying the signatory.

I therefore place my hand as seal upon this document this 20 day of ^{August}~~July~~, 2019.




H.R.H. Andrew Joseph Avitabile