

19-5900

No. _____

Supreme Court, U.S.
FILED

AUG 12 2019

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

David Earl Ison – Petitioner;

v.

Richard Brown – Respondent(s);

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioner asks leave to file the attached Petition for Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis*.

- ☐ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Franklin County Court, Indiana Court of Appeals, Indiana Supreme Court, Terre Haute District Court

- ☐ 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.

David Earl Ison

Petitioner, *pro se*

ORIGINAL

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

I, David Earl Ison, 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 twelve (12) months. Adjust any amount that was received weekly, biweekly, quarterly, semi-annually, or annually to show the rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average amount during the past 12 months.		Amount Expected next month.	
	You:	Spouse:	You:	Spouse:
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 (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-	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

Note: I've been incarcerated the past 8 years.

- Incarcerated last 8 Years.*
2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer:	Address:	Dates of Employment:	Gross Monthly Pay:
<u>None</u>			\$
			\$
			\$

3. List your spouse's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.) Not Married
4. How much cash do you and your spouse have? Not any
Below, state any money you or your spouse has in bank accounts or in any other financial institution.

Financial Institution: None Type of Account: _____ Amount you have: \$ _____ Your spouse has: _____

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

Home (value): None Other real estate (value): None Motor Vehicle (value): None
Make & Year: None
Other assets - Description: None

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money: None

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

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, semiannually, or annually to show the monthly rate.

	You:	Your spouse:
Rent or home-mortgage payment (include mobile home lot rent)	\$ <u>None</u>	\$ _____
Utilities	\$ _____	\$ <u>None</u>
Home maintenance (repairs/upkeep)	\$ _____	\$ _____
Food	\$ _____	\$ _____

Clothing	\$ <u>0</u>	\$ <u>0</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>0</u>
Medical and dental expenses (includes medications from commissary)	\$ <u>0</u>	\$ <u>0</u>
Transportation (does not include motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>0</u>
Insurance	\$ <u>0</u>	\$ <u>0</u>
Taxes	\$ <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>
Alimony, maintenance, and support paid to others (includes child support)	\$ <u>0</u>	\$ <u>0</u>
Regular expenses for operation of business, profession or farm (attach detail)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): Commissary personal hygiene, etc.,	\$ <u>0</u>	\$ <u>0</u>
Total monthly expenses:	\$ <u>0</u>	\$ <u>0</u>

9. Do you expect any major changes to your monthly income or expenses on in your assets or liabilities during the next 12 months?

☐ Yes ☒ No

10. Have you paid – or will you be paying an attorney any money for service 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 docket fees for your appeal.

I've been incarcerated the past 8 years at Wabash Valley Correctional Facility, I don't have any savings, and don't own anything of value.

I declare under penalty for perjury that the above and foregoing is true and correct to the best of my personal knowledge and belief.

Executed on: August 3rd, 2019

David Earl Ison

Petitioner, pro se

Note: I have a temporary job wiping tables in here I make about 27.00 a month; which I have to buy my own hygiene with it