

U.S. Supreme Court Forms

No. 19-5910

ORIGINAL

Supreme Court, U.S.  
FILED

JUL 15 2019

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Benjamin Carpenter — PETITIONER  
(Your Name)

VS.

State of Georgia — 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*.

[ ] 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.

Ben Carpenter  
(Signature)

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

I, Benjamin Carpenter, 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<br>the past 12 months |             | Amount expected<br>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<br>(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>75</u>  | \$ <u>0</u> | \$ <u>75</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<br>security, pensions,<br>annuities, insurance) | \$ <u>0</u>   | \$ <u>0</u> | \$ <u>0</u>                   | \$ <u>0</u> |
| Disability (such as social<br>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<br>(such as welfare)                                     | \$ <u>0</u>   | \$ <u>0</u> | \$ <u>0</u>                   | \$ <u>0</u> |
| Other (specify): _____   | \$ <u>0</u>   | \$ <u>0</u> | \$ <u>0</u>                   | \$ <u>0</u> |
| <br>Total monthly income:  | \$ <u>75</u>  | \$ <u>0</u> | \$ <u>75</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 |
|-------------|---------|---------------------|-------------------|
| <u>None</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>No Spouse</u> |         |                     | \$                |
|                  |         |                     | \$                |
|                  |         |                     | \$                |

4. How much cash do you and your spouse have? \$ 73.00  
Below, state any money you and 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>Georgia Dept. of Corr.</u> | <u>Commissary</u> | \$ <u>73.00</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 No Home

☐ Other real estate  
Value None

☐ Motor Vehicle #1  
Year, make & model No Car  
Value

☐ Motor Vehicle # 2  
Year, make & model None  
Value

☐ Other assets  
Description No Significantly valuable assets  
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     |
|---------------------------------------|--------------------------------|--------------------------------|
| <u>None</u>                           | \$ <u>                    </u> | \$ <u>                    </u> |
| <u>                    </u>           | \$ <u>                    </u> | \$ <u>                    </u> |
| <u>                    </u>           | \$ <u>                    </u> | \$ <u>                    </u> |

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

| Name                        | Relationship                                | Age                         |
|-----------------------------|---|-----------------------------|
| <u>None</u>                 | <u>                                    </u> | <u>                    </u> |
| <u>                    </u> | <u>                                    </u> | <u>                    </u> |
| <u>                    </u> | <u>                                    </u> | <u>                    </u> |

8. Estimate the average monthly expenses of you and your spouse. 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<br>(include lot rented for mobile home)                    | \$ <u>0</u>  | \$ <u>0</u> |
| Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No |              |             |
| Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No |              |             |
| Utilities (electricity, heating fuel,<br>Water, sewer, and telephone)                    | \$ <u>0</u>  | \$ <u>0</u> |
| Home maintenance (repairs and upkeep)  | \$ <u>0</u>  | \$ <u>0</u> |
| Food   | \$ <u>40</u> | \$ <u>0</u> |
| Clothing   | \$ <u>0</u>  | \$ <u>0</u> |
| Laundry and dry-cleaning   | \$ <u>0</u>  | \$ <u>0</u> |
| Medical and dental expenses  | \$ <u>5</u>  | \$ <u>0</u> |

|   | You          | Your spouse |
|---|--------------|-------------|
| Transportation (not including motor vehicle payments)                                       | \$ <u>0</u>  | \$ <u>0</u> |
| Recreation, entertainment, newspapers, magazines, etc.                                      | \$ <u>10</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>0</u>  | \$ <u>0</u> |
| Taxes (not deducted from wages or included in mortgage payments)                            |              |             |
| (specify): _____  | \$ <u>0</u>  | \$ <u>0</u> |
| Installment payments  |              |             |
| Motor Vehicles  | \$ <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>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>Postage</u>   | \$ <u>20</u> | \$ <u>0</u> |
| Total monthly expenses:   | \$ <u>75</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? About \$125,000 (paid by family)

*Trial and Appeal only  
No representation for  
certiorari*

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

Brian Steel, The Steel Law Firm, P.C., 1300 Peachtree St. Suite 300  
Atlanta, GA 30309 Phone 404-605-0023

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

*Trial Specialist*

If yes, how much? \$12,500 (paid by family)

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

Trisha Renaud, Trial Advantage, Inc., P.O. Box 451271  
Atlanta, GA 31145

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

*My family is in debt due to high legal fees. I cannot afford further representation. I also cannot afford the cost of complying with the booklet format requirement of Rule 33.1 or the cost of making 40 copies. Even if I could, I declare under penalty of perjury that the foregoing is true and correct. the facilities at this prison make it impossible to comply.*

Executed on: July 8, 20 19

Bern Carpenter  
(Signature)

*Patricia Denise Davis 7/8/19*  
notary

