

19-6211

No. _____

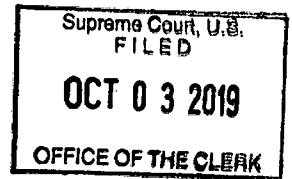
ORIGINAL

In the Supreme Court of the United States

Barry L. Clark, Petitioner

vs.

Mark Gwyn, et, al. Respondents



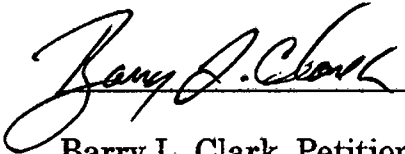
MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioner asks leave to file the attached petition for a Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis*. In support the Petitioner states:

Petitioner has previously been granted leave to proceed *in forma pauperis* (See Appendix D) in the following courts;

1. The Chancery Court for Davidson County Tennessee;
2. The Court of Appeals for the Middle Section of Tennessee;
3. The Supreme Court of Tennessee for the Middle District.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

 4 Oct, 2019
Barry L. Clark, Petitioner

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

I, Barry L. Clark, 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	
	You	Spouse	You	Spouse
Employment	\$ _____	\$ _____	\$ _____	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ 1433.00	\$ _____	\$ 1433.00	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify) _____	\$ _____	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ 1433.00	\$ _____	\$ 1433.00	\$ _____

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 Retired on SSA			\$
			\$
			\$

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 Retired on SSA			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 208.00
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
CHECKING	\$ 73.00	\$
SAVINGS	\$ 125.83	\$
	\$	\$

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

☒ Home
Value \$27,000.00

☐ Other real estate
Value

☒ Motor Vehicle #1
Year, make & model 2015 Dodge Journey
Value \$12,213.00

☐ Motor Vehicle #2
Year, make & model
Value

☐ Other assets
Description
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
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
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)	\$ 221.95	\$ _____
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)	\$ 240.00	\$ _____
Home maintenance (repairs and upkeep)	\$ 30.00	\$ _____
Food	\$ 100.00	\$ _____
Clothing	\$ N/A	\$ _____
Laundry and dry-cleaning	\$ 15.00	\$ _____
Medical and dental expenses	\$ 45.00	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 30.00	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ N/A	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0.00	\$
Life	\$ 0.00	\$
Health	\$ 0.00	\$
Motor Vehicle	\$ 95.84	\$
Other: _____	\$ 0.00	\$
Taxes (not deducted from wages or included in mortgage payments)		
(specify): \$257.00 Annually	\$ 21.42	\$
Installment payments		
Motor Vehicle	\$ Trustee	\$
Credit card(s)	\$ Trustee	\$
Department store(s)	\$ Trustee	\$
Other: Chapter 13 Bankruptcy Trustee	\$ 427.99	\$
Alimony, maintenance, and support paid to others	\$ 0.00	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0.00	\$
Other (specify): N/A	\$	\$
Total monthly expenses:	\$ 1227.20	\$

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.

All finances under supervision of Trustee of Chapter 13 Bankruptcy filing of Feb. 2018.

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

Executed on: October 4, 2019


(Signature)

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY, TENNESSEE

BARRY L. CLARK,

Petitioner,

v.

MARK GWYN, Director TBI,
JEANNE BROADWELL, General
Counsel,

Respondent.

CASE No. 16-1035-I

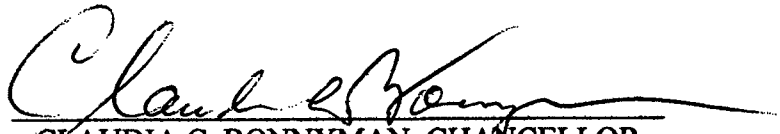
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DAVIDSON CO CHANCERY CT

2018 FEB 15 AM 9:37

**ORDER ALLOWING THE PETITIONER TO
PROCEED IN FORMA PAUPERIS
IN THE TRIAL COURT AND ON APPEAL**

The Petitioner filed his motion to proceed in forma pauperis before this court and on appeal. The Petitioner has provided his Affidavit of Indigency. The Court grants the Petitioner's motion to proceed in forma pauperis in the trial court and on appeal.

The Petitioner's motion is set to be heard on the March 2, 2018 motion docket. Because the motion is resolved, the motion will be removed from the March 2, 2018 motion docket.


CLAUDIA C. BONNYMAN, CHANCELLOR
CHANCERY COURT, PART I

cc: Mr. Barry L. Clark, *Pro se*
267 Mabry Street
Post Office Box 103
Camden, Tennessee 38320

Telephone (731) 220-6188

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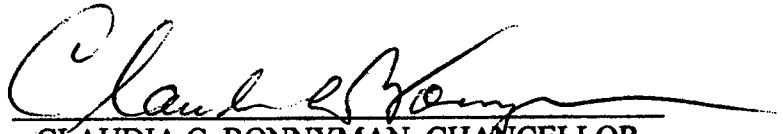
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