

1 Nevada Supreme Court No. 72805, 78907
2 District Court No. C-14-297388-1

RECEIVED

SEP 26 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

3 19-6520
4

In The

5 Supreme Court Of The United States
6 of America

7 ORIGINAL
8

9 Pascual A. McMurry-Rivera - Petitioner

10 vs.

11 The State of Nevada - Respondent

12 Motion For Leave To Proceed In Forma Pauperis

13 The petitioner asks leave to file the attached petition
14 for a writ of certiorari without prepayment of costs and
15 to proceed in forma pauperis. The petitioner has previously
16 been granted leave to proceed in forma pauperis in the
17 State of Nevada's Eighth Judicial District Court.

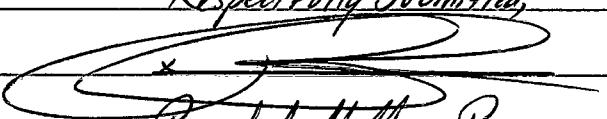
18 FILED

19 JUL 31 2019

20 OFFICE OF THE CLERK
21 SUPREME COURT, U.S.

22 Dated this 12th day of September, 2019

23 Respectfully Submitted,

24 
25 Pascual A. McMurry-Rivera
High Desert State Prison
22010 Cold Creek Road
26 Indian Springs, NV 89010
27 (702) 879-6789

1. Nevada Supreme Court No. 79023, 72805, 78907

2. RECEIVED

3. SEP 26 2019

4. OFFICE OF THE CLERK
SUPREME COURT, U.S.

District Court No. C-14-297388-1

5. In The
6. Supreme Court Of The United States
7. of America

8. Pascual A. McMurry Rivera - Petitioner

9. vs
10. The State of Nevada - Respondent

11. Motion For Leave To Proceed In Forma Pauperis

12. The petitioner asks leave to file the attached petition
13. for writ of certiorari without prepayment of costs and
14. to proceed in forma pauperis. The petitioner has previously
15. been granted leave to proceed in forma pauperis in the
16. State of Nevada's Eighth Judicial District Court.

17. Respectfully Submitted,

18. 

19. Pascual A. McMurry Rivera

20. High Desert State Prison

21. 22010 Cold Creek Road

22. Indian Springs, NV 89070

23. (702) 879-6789

24. September 16th, 2019

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

I, Pascual Andres McMurtry, 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	\$ <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>Inmate Trust Account \$ 40.00</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>40.00</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
<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	\$ <i>N/A</i>

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
<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	\$ <i>N/A</i>

4. How much cash do you and your spouse have? \$ 0.04

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
<i>Inmate Trust Account</i>	\$ <u>0.04</u>	\$ <i>N/A</i>
<i>MMMM</i>	\$ <i>MMMM</i>	\$ <i>N/A</i>

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

Home
Value N/A

Other real estate
Value N/A

Motor Vehicle #1
Year, make & model N/A
Value N/A

Motor Vehicle #2
Year, make & model N/A
Value N/A

Other assets
Description GPX AM/FM Radio & Conair Cordless Beard & Mustache Trimmer
Value \$22.00 + \$20.00 Total \$42.00

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

Person owing you or your spouse money

N/A

Amount owed to you

\$ *N/A*

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
D.R.
A.R.
J.R.
N.R.

Relationship
Daughter
Son
Son
Daughter

Age
13
13
10
6

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)	\$ <i>∅</i>	\$ <i>∅</i>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <i>∅</i>	\$ <i>∅</i>
Home maintenance (repairs-and-upkeep)	\$ <i>∅</i>	\$ <i>∅</i>
Food	\$ <i>68.00</i>	\$ <i>68.00</i>
Clothing	\$ <i>∅</i> <i>6.66</i>	\$ <i>∅</i> <i>6.66</i>
Laundry and dry-cleaning	\$ <i>∅</i>	\$ <i>∅</i>
Medical and dental expenses	\$ <i>∅</i>	\$ <i>∅</i>

	You	Your spouse
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>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 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>0</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others	\$ <u>1,200.00</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>0</u>	\$ <u>0</u>
Total monthly expenses:	<u>1,266.00</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? _____

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? _____

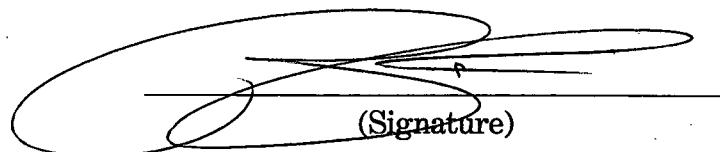
If yes, state the person's name, address, and telephone number:

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

I'm incarcerated at High Desert State Prison, housed in Administrative Segregation and do not have employment.

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

Executed on: October 16, 2019


(Signature)