

No. 19-6600

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Barry Leonard Davis — PETITIONER
(Your Name)

Supreme Court, U.S.
FILED

OCT 25 2019

OFFICE OF THE CLERK

VS.
United States America 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*.

Please check the appropriate boxes:

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

none

NIA zero

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.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: _____

NIA, or

a copy of the order of appointment is appended.

Barry Leonard Davis
(Signature)

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

I, Barny Davis, 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>None</u> | \$ <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> |
| | <u>None</u> | | <u>None</u> | |

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.) none.

| Employer | Address | Dates of Employment | Gross monthly pay |
|------------|------------|---------------------|-------------------|
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>\$ N/A</u> |
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>\$ N/A</u> |
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>\$ N/A</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.) none.

| Employer | Address | Dates of Employment | Gross monthly pay |
|------------|------------|---------------------|-------------------|
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>\$ N/A</u> |
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>\$ N/A</u> |
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>\$ N/A</u> |

4. How much cash do you and your spouse have? \$ N/A zero -0-
Below, state any money you or your spouse have in bank accounts or in any other financial institution. none.

| Type of account (e.g., checking or savings) | Amount you have | Amount your spouse has |
|---|-----------------|------------------------|
| <u>N/A</u> | <u>\$ N/A</u> | <u>\$ N/A</u> |
| <u>N/A</u> <u>none -0-</u> | <u>\$ N/A</u> | <u>\$ N/A</u> |
| <u>N/A</u> | <u>\$ N/A</u> | <u>\$ N/A</u> |

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings. none.

Home
Value N/A none

Other real estate
Value N/A none

Motor Vehicle #1
Year, make & model N/A none
Value N/A none

Motor Vehicle #2
Year, make & model N/A none
Value N/A none

Other assets
Description N/A none
Value N/A

6. State every person, business, or organization owing you or your spouse money, and the amount owed. none.

| Person owing you or your spouse money | Amount owed to you | Amount owed to your spouse |
|---------------------------------------|--------------------|----------------------------|
| <u>N/A zero</u> | \$ <u>N/A zero</u> | \$ <u>N/A zero</u> |
| <u>N/A none</u> | \$ <u>N/A none</u> | \$ <u>N/A none</u> |
| <u>N/A zero</u> | \$ <u>N/A zero</u> | \$ <u>N/A zero</u> |

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"). none.

| Name | Relationship | Age |
|-----------------|-----------------|-----------------|
| <u>N/A none</u> | <u>none N/A</u> | <u>N/A none</u> |
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u> |
| <u>N/A zero</u> | <u>zero N/A</u> | <u>N/A zero</u> |

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. none.

| | You | Your spouse |
|---|------------------|------------------|
| Rent or home-mortgage payment (include lot rented for mobile home) | \$ <u>0 zero</u> | \$ <u>0 zero</u> |
| 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) | \$ <u>0 none</u> | \$ <u>0 none</u> |
| Home maintenance (repairs and upkeep) | \$ <u>0 none</u> | \$ <u>0 none</u> |
| Food | \$ <u>0 none</u> | \$ <u>0 none</u> |
| Clothing | \$ <u>0</u> | \$ <u>0</u> |
| Laundry and dry-cleaning | \$ <u>0</u> | \$ <u>0</u> |
| Medical and dental expenses | \$ <u>0</u> | \$ <u>0</u> |

Page 4 of 6 pages)

| | You | Your spouse |
|---|------------------|------------------|
| Transportation (not including motor vehicle payments) | \$ <u>0</u> zero | \$ <u>0</u> zero |
| Recreation, entertainment, newspapers, magazines, etc. | \$ <u>0</u> | \$ <u>0</u> |
| Insurance (not deducted from wages or included in mortgage payments) <u>none</u> | | |
| Homeowner's or renter's <u>none</u> | \$ <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>N/A none</u> | \$ <u>0</u> | \$ <u>0</u> |
| Taxes (not deducted from wages or included in mortgage payments) | | |
| (specify): <u>N/A none</u> | \$ <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>N/A none</u> | \$ <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) | | |
| Other (specify): <u>N/A none</u> | \$ <u>0</u> | \$ <u>0</u> |
| Total monthly expenses: <u>none</u> | <u>zero-0</u> | \$ <u>0</u> |

Page 5 of 6 page(s)

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. N/A None

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? N/A

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? N/A None

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

Executed on: October 15th, 2019

Darryl L. Lewis
(Signature)

Page 6 of Six 6 Page

in the supreme court of the united states

BARRY LERNARD DAVIS

Case No.

VS.

UNITED STATES OF AMERICA

AFFIDAVIT OF BARRY DAVIS

I Barry lernard Davis, depose and state that the following facts are true and correct under the penalty of perjury to wit:

1. I Barry Lernard, state that I did not pose as R.D's pimp and we did not have sexual relations.

2. I Barry Lernard state that Robin Döty, RD, took a DNA test to prove that we did not have sexual relations.

I, Barry Lernard Davis, declare under penalty of perjury pursuant to 28 U.S.C. 1746, that the above stated facts are true and correct.

Executed on this 15th October 2019.

Barry Lernard Davis
BARRY Lernard Davis
Reg. 43453-279
Beaumont - Medium FCI
Post Office BX 26040
Beaumont Texas
77720