

19-6648

No. \_\_\_\_\_

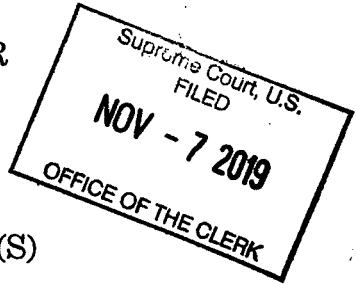
ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

Ralph Loren Barenz II — PETITIONER  
(Your Name)

VS.

State of Alaska — 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):

Alaska Supreme Court # S-17487

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: \_\_\_\_\_

a copy of the order of appointment is appended.

RECEIVED

NOV 15 2019

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

(Signature)

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

I, Ralph Loren Barenz II, 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.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
Employment	\$ <u>66.50</u>	\$ <u>N/A</u>	\$ <u>80.00</u>	\$ <u>N/A</u>
Self-employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Gifts	\$ <u>33.30</u>	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>
Alimony	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child Support	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<b>Total monthly income:</b>	<b>\$ <u>99.80</u></b>	<b>\$ <u>N/A</u></b>	<b>\$ <u>80.00</u></b>	<b>\$ <u>N/A</u></b>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
Goose Creek Correctional Center	22301 W Alsop Rd Wasilla, AK 99623	10/19/18 to now	\$ Starting: 63.00 \$ Now: 84.00 \$

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.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
N/A	N/A	N/A	\$ N/A \$ \$

4. How much cash do you and your spouse have? \$ N/A

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

<b>Type of account (e.g., checking or savings)</b>	<b>Amount you have</b>	<b>Amount your spouse has</b>
Checking (my DOC account)	\$ 40.00	\$ N/A
Forced Savings (my DOC account)	\$ 94.60	\$ N/A
	\$	\$

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

Motor Vehicle #2

Year, make & model N/A

Value \_\_\_\_\_

Value \_\_\_\_\_

Other assets

Description N/A

Value \_\_\_\_\_

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

<b>Person owing you or your spouse money</b>	<b>Amount owed to you</b>	<b>Amount owed to your spouse</b>
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</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").

<b>Name</b>	<b>Relationship</b>	<b>Age</b>
<u>N/A</u>	<u>N/A</u>	<u>N/A</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.

	<b>You</b>	<b>Your spouse</b>
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>N/A</u>	\$ <u>N/A</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, water, sewer, and telephone)	\$ <u>N/A</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>N/A</u>	\$ <u>N/A</u>
Food	\$ <u>N/A</u>	\$ <u>N/A</u>
Clothing	\$ <u>8.00</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>N/A</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>1.00</u>	\$ <u>N/A</u>

	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ N/A	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ N/A	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ N/A	\$ N/A
Life	\$ N/A	\$ N/A
Health	\$ N/A	\$ N/A
Motor Vehicle	\$ N/A	\$ N/A
Other: _____	\$ N/A	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ N/A	\$ N/A
Installment payments		
Motor Vehicle	\$ N/A	\$ N/A
Credit card(s)	\$ N/A	\$ N/A
Department store(s)	\$ N/A	\$ N/A
Other: _____	\$ N/A	\$ N/A
Alimony, maintenance, and support paid to others	\$ N/A	\$ N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ N/A	\$ N/A
Other (specify): <u>hygiene</u>	\$ 5.00	\$ N/A
<b>Total monthly expenses:</b>	<b>\$ 14.00</b>	<b>\$ N/A</b>

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.

When it comes to my hygiene I went low. It can be higher depending on the month. Also I pay my own filing fees and for my own legal copies and for the mailing cost every time. By the time this court responds to this application I will have some money save but not a full \$300.00. My hopes are that my fee will not be any more than 70-80 dollars. With this application I have attached a copy of the Alaska Supreme Court exemption order that was granted.

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

Executed on: \_\_\_\_\_, 20\_\_\_\_

  
(Signature)

# In the Supreme Court of the State of Alaska

<b>Ralph Loren Barenz II,</b>	)	
	)	Supreme Court No. S-17487
Petitioner,	)	
v.	)	<b>Order</b>
	)	
<b>State of Alaska,</b>	)	
	)	
Respondent.	)	Date of Order: <b>July 1, 2019</b>
<hr/>		

**Trial Court Case # 3PA-14-02277CR**

Ralph Loren Barenz II, a prisoner engaged in litigation against the State, has moved for an exemption of the normal filing fee for this appeal.

Under AS 9.19.010(d), even when a prisoner can not afford to pay the normal filing fee, the filing fee must be at least 20 percent of (1) the average monthly amount of deposits to the prisoner's account during the preceding six months or (2) the average monthly balance of the prisoner's account during the preceding six months, whichever is greater.

Based on the information submitted to this Court, the average monthly amount of deposits to Mr. Barenz's prisoner account for the months of December 2018 through June 2019 was \$126.53, and the average monthly balance in that account during the same period was \$58.22. Taking the larger of these figures (as required by the statute), Mr. Barenz's filing fee must be at least 20 percent of \$25.31.

It is the practice of this Court to round filing fees up to the nearest 25 cents. Thus, Mr. Barenz's filing fee for this appeal shall be \$25.50.

Accordingly, IT IS ORDERED:

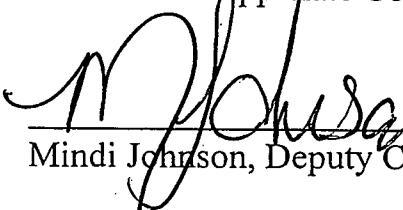
1. Mr. Barenz's motion for an exemption to the normal filing fee is GRANTED in part.

*Barenz v. State*  
Supreme Court No. S-17487  
Order of July 1, 2019  
Page 2.

2. Mr. Barenz shall pay a reduced filing fee of \$25.50. This fee must be paid on or before **7/31/19**. If there is good reason, the Court may grant an extension of this deadline. If Mr. Barenz fails to pay the reduced filing fee within the time allowed, her appeal will be rejected for filing and this case will be closed.

Entered at the direction of an individual justice.

Clerk of the Appellate Courts



Mindi Johnson, Deputy Clerk

Distribution:

RuthAnne Bergt  
Office of Criminal Appeals  
1031 W. 4th Ave, Suite 200  
Anchorage AK 99501

Ralph Barenz II - 511778  
Goose Creek Correctional Center  
22301 West Alsop  
Wasilla AK 99623

Instructions for filling in the "Event" column: First, fill in the opening date and the opening account balance.

Then, for all account transactions, enter the date and the amount. For withdrawals, leave the "Event" column empty.

For deposits, put a "D" in the "Event" column. For transfers to forced savings, put an "S" in the "Event" column.

Finally, to mark the last date covered by the account report, put "Ending" in the "Event" column and fill in the date.

Name Barenz, II S-17487	Total Entries	Last Row Used	Total Days	Total of Daily Balances
	54	68	188	\$10,945.69
Average Balance	Avg Monthly Deposit	Last Date	Total Months	
\$58.22	\$126.53	06-Jun-19	6	
20% of Avg Balance	20% of Avg Monthly Deposit			
\$11.64	\$25.31			

Event	Date	Transaction Amount	Available Funds Account Balance	# of Days at this Balance	Multiplied Value (Available Funds Balance times number of days at this balance)	Deposits
Opening d	12/01/18		\$11.07	4	\$44.28	
d	12/05/18	\$52.80	\$63.87	0	\$0.00	\$52.80
d	12/05/18	\$11.54	\$52.33	0	\$0.00	
d	12/05/18	\$21.12	\$31.21	5	\$156.05	
d	12/10/18	\$20.55	\$10.66	0	\$0.00	
d	12/10/18	\$6.90	\$3.76	7	\$26.32	
d	12/17/18	\$21.12	\$24.88	4	\$99.52	\$21.12
d	12/21/18	\$24.00	\$0.88	7	\$6.16	
d	12/28/18	\$5.00	-\$4.12	7	-\$28.84	
d	01/04/19	\$50.00	\$45.88	4	\$183.52	\$50.00
d	01/08/19	\$7.35	\$38.53	2	\$77.06	
d	01/10/19	\$5.00	\$33.53	1	\$33.53	
d	01/11/19	\$1.50	\$32.03	11	\$352.33	
d	01/22/19	\$24.16	\$7.87	14	\$110.18	
d	02/05/19	\$43.20	\$51.07	6	\$306.42	\$43.20
d	02/11/19	\$5.00	\$46.07	1	\$46.07	
d	02/12/19	\$7.90	\$38.17	0	\$0.00	
d	02/12/19	\$7.73	\$30.44	0	\$0.00	
d	02/12/19	\$28.75	\$1.69	14	\$23.66	
d	02/26/19	\$200.00	\$201.69	0	\$0.00	\$200.00
d	02/26/19	\$150.00	\$351.69	6	\$2,110.14	\$150.00
d	03/04/19	\$9.76	\$361.45	1	\$361.45	\$9.76
d	03/05/19	\$2.00	\$363.45	0	\$0.00	\$2.00
d	03/05/19	\$12.00	\$375.45	0	\$0.00	\$12.00
d	03/05/19	\$12.80	\$388.25	6	\$2,329.50	\$12.80
	03/11/19	\$100.00	\$288.25	0	\$0.00	
	03/11/19	\$32.29	\$255.96	1	\$255.96	
	03/12/19	\$6.50	\$249.46	0	\$0.00	
	03/12/19	\$30.00	\$219.46	6	\$1,316.76	
	03/18/19	\$3.65	\$215.81	0	\$0.00	
	03/18/19	\$19.52	\$196.29	0	\$0.00	
	03/18/19	\$5.36	\$190.93	4	\$763.72	
	03/22/19	\$88.50	\$102.43	4	\$409.72	
	03/26/19	\$2.60	\$99.83	0	\$0.00	
	03/26/19	\$28.51	\$71.32	7	\$499.24	
	04/02/19	\$66.80	\$4.52	3	\$13.56	
d	04/05/19	\$62.00	\$66.52	4	\$266.08	\$62.00
	04/09/19	\$25.16	\$41.36	0	\$0.00	

04/09/19	\$29.00	\$12.36	3	\$37.08	
04/12/19	\$0.45	\$11.91	0	\$0.00	
04/12/19	\$0.45	\$11.46	0	\$0.00	
04/12/19	\$1.80	\$9.66	4	\$38.64	
04/16/19	\$4.12	\$5.54	10	\$55.40	
04/26/19	\$1.80	\$3.74	7	\$26.18	
d 05/03/19	\$30.00	\$33.74	0	\$0.00	\$30.00
d 05/03/19	\$36.00	\$69.74	5	\$348.70	\$36.00
05/08/19	\$15.50	\$54.24	2	\$108.48	
05/10/19	\$5.00	\$49.24	3	\$147.72	
05/13/19	\$7.85	\$41.39	0	\$0.00	
05/13/19	\$23.40	\$17.99	8	\$143.92	
05/21/19	\$3.86	\$14.13	14	\$197.82	
06/04/19	\$13.20	\$0.93	1	\$0.93	
d 06/05/19	\$77.50	\$78.43	1	\$78.43	\$77.50
end 06/06/19		\$78.43		\$0.00	