

19-6831
IN THE UNITED STATES SUPREME COURT

IN RE:
FREDERICK WROTE
PETITIONER

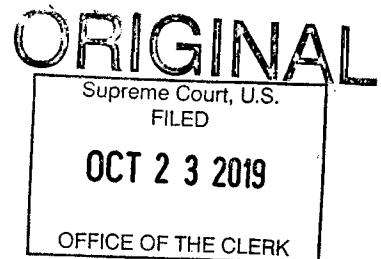
V

WARDEN TONEY
STATE OF ALABAMA et al...
RESPONDENT

CASE NUMBER: _____
(TO BE ASSIGNED BY THE CLERK)

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

FREDERICK WROTE
AIS #260584
LIMESTONE CORRECTIONAL FACILITY
28779 Nick Davis Road
Harvest, Alabama 35749



Come now Frederick Wroten by and through the assistance of a Limestone Correctional Facility Law Clerk and submits his Motion For Leave To Proceed In Forma Pauperis, to file and prosecute this "Original Writ of Habeas Corpus" pursuant to 28 U.S.C. §1651(a) and §2254(a) of the United States Code, and submits in the following the grounds in support of the granting of this motion, whereas;

- 1) Wroten is an indigent and incarcerated prisoner in the State of Alabama prison system. As such Wroten receives no income for the performance of any institutional job he may be assigned to.
- 2) Wroten has been incarcerated for approximately 13 years. He has no earned income, owns no personal property that can be liquidated and cannot otherwise provide security for the costs, and fees to file and prosecute his Original Writ of Habeas Corpus in this the United States Supreme Court.
- 3) This Original Writ of Habeas Corpus is focused on the denial by the State and federal district courts to properly and fairly entertain and/or adjudicate his prior filings in those respective courts. Due to such factors, Wroten finds that the only possible avenue for relief is to seek remedy in the United States Supreme Court, from what is a manifest injustice.
- 4) Wroten submits attached to the Motion For Leave To Proceed In Forma Pauperis the completed In Forma Pauperis Application Form as required by this Honorable Court. Seeking that this Court will grant him leave to proceed in forma pauperis to file and prosecute his Petition For Original Writ of Habeas Corpus pursuant to 28 U.S.C. §1651(a) and §2254(a).

Respectfully submitted this the 20 day of November, 2019.

Frederick Wrotten
Frederick Wrotten AIS #260584
Limestone Correctional Facility
28779 Nick Davis Road
Harvest, Alabama 35749

CERTIFICATE OF SERVICE UNDER PENALTY OF PERJURY

I Frederick Wrotten hereby certify under penalty of perjury that the information contained in the foregoing is true and correct to the best of my knowledge and belief and that I am on this the 20 day of November 2019 serving a copy of the same upon all parties involved by placing a copy of the same in the Institutional Legal Mail System Limestone Correctional Facility prior to the close of the normal business day.

Frederick Wrotten
Frederick Wrotten AIS #260584

Clerk of the Court
United States Supreme Court
Washington D.C. 20543

Attorney General
State of Alabama
501 Washington Ave.
Montgomery, Al. 36130

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

I, Ferdencske Wren, 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>N/A</u>	\$ <u>650.00</u>	\$ <u>N/A</u>
Self-employment	\$ <u></u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Income from real property (such as rental income)	\$ <u></u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Interest and dividends	\$ <u></u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Gifts	\$ <u></u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Alimony	\$ <u></u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Child Support	\$ <u>0</u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>1050.00</u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Unemployment payments	\$ <u></u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Public-assistance (such as welfare)	\$ <u></u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Other (specify): <u></u>	\$ <u>0</u>	\$ <u></u>	\$ <u></u>	\$ <u></u>
Total monthly income:	\$ <u>650.00</u>	\$ <u>0</u>	\$ <u>650.00</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>NA</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>NA</i>			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ *0*
 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>NA</i>	\$	\$
<i>NA</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 *NA*

Other real estate
 Value *NA*

Motor Vehicle #1
 Year, make & model *NA*
 Value *NA*

Motor Vehicle #2
 Year, make & model *NA*
 Value *NA*

Other assets
 Description _____
 Value *NA*

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>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").

Name	Relationship	Age
<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.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>0</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)	\$ _____	\$ _____
Home maintenance (repairs and upkeep)	\$ _____	\$ _____
Food	\$ _____	\$ _____
Clothing	\$ _____	\$ _____
Laundry and dry-cleaning	\$ _____	\$ _____
Medical and dental expenses	\$ <u>0</u>	\$ <u>N/A</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>8</u>	\$ <u>VA</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>7</u>	\$ <u>7</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u> </u>	\$ <u> </u>
Life	\$ <u> </u>	\$ <u> </u>
Health	\$ <u> </u>	\$ <u> </u>
Motor Vehicle	\$ <u> </u>	\$ <u> </u>
Other: _____	\$ <u> </u>	\$ <u> </u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u> </u>	\$ <u> </u>
Installment payments		
Motor Vehicle	\$ <u> </u>	\$ <u> </u>
Credit card(s)	\$ <u> </u>	\$ <u> </u>
Department store(s)	\$ <u> </u>	\$ <u> </u>
Other: _____	\$ <u> </u>	\$ <u> </u>
Alimony, maintenance, and support paid to others	\$ <u> </u>	\$ <u> </u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)		
\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Other (specify): _____		
Total monthly expenses:	\$ <u>18</u>	\$ <u>70</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 declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 20, 2019



(Signature)