

No. 19-6999

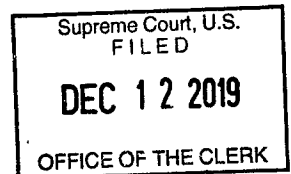
ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Charles Alan Dyer — PETITIONER
(Your Name)

VS.

Jeorl Bragg (Warden) — 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):

Oklahoma Court of Criminal Appeals

United States Court of Appeals for the 10th Circuit

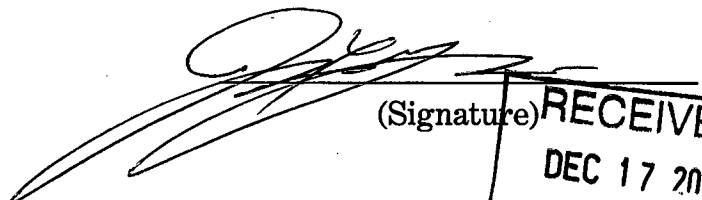
☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

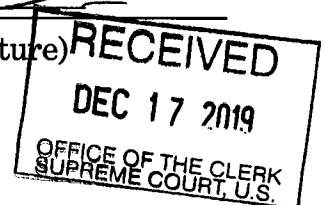
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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: _____, or

☐ a copy of the order of appointment is appended.


(Signature)



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

I, Charles Dyer, 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	\$ 0	\$	\$ 0	\$
Self-employment	\$ 0	\$	\$ 0	\$
Income from real property (such as rental income)	\$ 0	\$	\$ 0	\$
Interest and dividends	\$ 0	\$	\$ 0	\$
Gifts	\$	\$	\$ 0	\$
Alimony	\$ 0	\$	\$ 0	\$
Child Support	\$ 0	\$	\$ 0	\$
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$	\$ 0	\$
Disability (such as social security, insurance payments)	\$ 0	\$	\$ 0	\$
Unemployment payments	\$ 0	\$	\$ 0	\$
Public-assistance (such as welfare)	\$ 0 27.09	\$	\$ 0	\$
Other (specify): <u>Prison Gang pay</u>	\$ 14	\$	\$ 14 27.09	\$
Total monthly income:	\$ 27.09	\$	\$ 14	\$

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
<u>NA</u>	<u></u>	<u></u>	\$ <u></u>
<u></u>	<u></u>	<u></u>	\$ <u></u>
<u></u>	<u></u>	<u></u>	\$ <u></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.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>NA</u>	<u></u>	<u></u>	\$ <u></u>
<u></u>	<u></u>	<u></u>	\$ <u></u>
<u></u>	<u></u>	<u></u>	\$ <u></u>

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
<u>Inmate draw account</u>	\$ <u></u>	\$ <u></u>
<u>Inmate savings account</u>	\$ <u></u>	\$ <u></u>
<u></u>	\$ <u></u>	\$ <u></u>

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

☐ Home
Value

☐ Other real estate
Value

☐ Motor Vehicle #1
Year, make & model
Value

☐ 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

NA

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

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

None

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)

\$ 0

\$ _____

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

Utilities (electricity, heating fuel,
water, sewer, and telephone)

\$ 0

\$ _____

Home maintenance (repairs and upkeep)

\$ 0

\$ _____

Food

\$ 100

\$ _____

Clothing

\$ 20

\$ _____

Laundry and dry-cleaning

\$ 0

\$ _____

Medical and dental expenses

\$ 1

\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>1</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>10</u>	\$ <u>1</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>1</u>
Life	\$ <u>0</u>	\$ <u>1</u>
Health	\$ <u>0</u>	\$ <u>1</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>1</u>
Other: _____	\$ <u>0</u>	\$ <u>1</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ <u>1</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>1</u>
Credit card(s)	\$ <u>0</u>	\$ <u>1</u>
Department store(s)	\$ <u>0</u>	\$ <u>1</u>
Other: _____	\$ <u>0</u>	\$ <u>1</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>1</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>1</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>1</u>
Total monthly expenses:	\$ <u>131</u>	\$ <u>1</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? \$ 30

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

Law Library

LCC

P.O. Box 260


Lexington, OK

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

I am an inmate in prison and depend on family and gang pay for finances

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

Executed on: December 10, 2019


(Signature)

Date\Time: 12/10/2019 11:45:29 AM

Institution: LCC

ODOC

Offender Statement Report

Offender#	Offender/Group Name	Institution	Unit	Cell/Bed
0659682	DYER, CHARLES	LCC	5G	Q1-H-TOP

Transaction List

Transaction Date	Transaction Type	Source Document #	Receipt# / Check#	Sender Name	Amount	Account Balance
06/01/2019	BEGINNING BALANCE					
06/02/2019	KEEFE	3779635R		Dyer, Janet	\$300.00	\$99.62
06/04/2019	SALES	68			(\$36.84)	\$399.62
06/11/2019	SALES	45			(\$45.87)	\$362.78
06/18/2019	SALES	29			(\$52.31)	\$316.91
06/25/2019	SALES	41			(\$45.22)	\$264.60
06/30/2019	GANG PAY				\$27.09	\$219.38
07/02/2019	SALES	67			(\$34.89)	\$246.47
07/09/2019	DISBURSEMENT	US WESTERN DISTRICT			\$350.84	\$211.58
07/09/2019	SALES	48			(\$5.46)	\$562.42
07/16/2019	SALES	55			(\$52.83)	\$556.96
07/23/2019	SALES	33			(\$6.13)	\$504.13
07/30/2019	SALES	40			(\$46.56)	\$498.00
07/31/2019	GANG PAY				\$27.09	\$451.44
08/01/2019	GROUP TRANSFER OUT	659682 DONUT SALE			(\$10.00)	\$478.53
08/06/2019	SALES	54			(\$76.52)	\$468.53
08/13/2019	SALES	73			(\$22.89)	\$392.01
08/31/2019	GANG PAY				\$27.09	\$369.12
09/09/2019	LEGAL COPAY	LCC 9/5/19			(\$5.00)	\$396.21
09/09/2019	LEGAL COPAY	LCC 9/6/19			(\$1.10)	\$391.21
09/09/2019	LEGAL COPAY	LCC 9/6/19			(\$2.50)	\$390.11
09/10/2019	KEEFE	4008674R		Dyer, Janet	\$300.00	\$387.61
09/11/2019	JPAY	0000000105653946		GARDEA, CARMEN	\$50.00	\$687.61
09/30/2019	GANG PAY				\$27.09	\$737.61
10/01/2019	LEGAL COPAY	LCC 9/11/19			(\$25.65)	\$764.70
10/02/2019	SALES	132			(\$18.00)	\$739.05
10/09/2019	SALES	47			(\$22.88)	\$721.05
10/16/2019	SALES	67			(\$75.83)	\$698.17
10/18/2019	SALES	50			(\$4.28)	\$622.34
10/22/2019	SALES	35			(\$39.20)	\$618.06
10/23/2019	LEGAL COPAY	LCC 10/14/19			(\$1.00)	\$578.86
10/29/2019	SALES	24			(\$4.69)	\$577.86
10/29/2019	SALES	32			(\$34.93)	\$573.17
10/29/2019	SALES	69			(\$9.28)	\$538.24
10/30/2019	SALES	30			(\$7.95)	\$528.96
10/31/2019	GANG PAY				\$27.09	\$521.01
11/05/2019	SALES	81			(\$42.78)	\$548.10
11/05/2019	LEGAL COPAY	LCC 10/28/19			(\$0.55)	\$505.32
11/13/2019	SALES	66			(\$80.86)	\$504.77
11/22/2019	JPAY	0000000108531517		WOOD, GREGORY	\$100.00	\$423.91
11/26/2019	KEEFE	4180264R		Dyer, Janet	\$300.00	\$523.91
11/26/2019	SALES	56			(\$30.70)	\$823.91
11/30/2019	GANG PAY				\$27.09	\$793.21
12/02/2019	LEGAL COPAY	LCC 11/25/19			(\$2.50)	\$820.30
12/03/2019	SALES	73			(\$25.86)	\$817.80
						\$791.94

Date\Time: 12/10/2019 11:45:29 AM
Institution: LCC

ODOC
Offender Statement Report

Transaction Date	Transaction Type	Source Document #	Receipt#/Check#	Sender Name	Amount	Account Balance
12/09/2019	LEGAL COPAY	LCC 12/6/19			(\$7.25)	\$784.69
12/10/2019	SALES	68			(\$52.36)	\$732.33
12/10/2019	LEGAL COPAY	COPY			(\$0.25)	\$732.08

Summary Balances

Available Balance	Savings Balance	Debt Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
\$346.79	\$385.29	\$0.00	\$0.00	\$0.00	\$0.00	\$732.08