

19-7146  
No.

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IN THE  
SUPREME COURT OF THE UNITED STATES

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David Rapoport - PETITIONER, Pro Se

v.

Superintendent Robert Gilmore, et al. - RESPONDENT;

**ORIGINAL**

FILED

OCT 07 2019

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

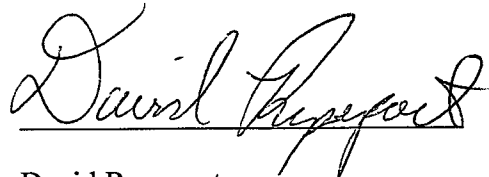
**MOTION TO PROCEED *IN FORMA PAUPERIS***

The Petitioner asks leave to file the attached Petition for Writ of Certiorari without payment of costs and to proceed *in forma pauperis*.

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

United States Court of Appeals for the Third Circuit  
No. 19 - 1442 (E.D. Pa. No. 5-18-cv-09721), Granted March 14, 2019  
21400 U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106

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



David Rapoport  
Petitioner, *pro se*

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

I, David Rapoport, 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.

INCOME SOURCE	Average monthly amount during past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Institutional Kitchen employment	\$75.59	N/A	\$75.59	N/A
Act 84 Deduction	(\$14.78)	N/A	(\$14.78)	N/A
Net from Kitchen	\$60.81	N/A	\$60.81	N/A
Certified Peer Support and overtime	\$27.88	N/A	\$27.88	N/A
Act 84 Deductions	(\$5.57)	N/A	(\$5.57)	N/A
Net from Peer Support	\$22.31	N/A	\$22.31	N/A
Self-Employment	N/A	N/A	N/A	N/A
Income from property				
Interests and Dividends				
Gifts	\$300.00	N/A	\$300.00	N/A
Act 84 Deduction	(\$60.00)	N/A	(\$60.00)	N/A
Net from gifts	\$240.00	N/A	\$240.00	N/A
Alimony	N/A	N/A	N/A	N/A
Child Support	N/A	N/A	N/A	N/A
Retirement	N/A	N/A	N/A	N/A
Disability	N/A	N/A	N/A	N/A
Unemployment	N/A	N/A	N/A	N/A
Public assistance	N/A	N/A	N/A	N/A
Other	N/A	N/A	N/A	N/A
<b>Total monthly income:</b>	<b>\$323.12</b>	<b>N/A</b>	<b>\$363.23</b>	<b>N/A</b>

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

Employer	Address	Dates of Employment	Gross Monthly pay
Pennsylvania Dep. of Corrections	175 Progress Drive Waynesburg, PA 15370	2012-present	\$103.40

3. List your spouse's employment history for the past 2 years, most recent first. N/A

4. How much cash do you or your spouse have? \$406.31  
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount spouse has
PA Dep. of Corrections	Inmate Account	\$406.31	N/A

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

Home	N/A
Real estate	N/A
Automobile	N/A

Until 2011, I owned a home. After my arrest, my wife could not afford our mortgage; the bank foreclosed on our house. I did not own anhy other protpery. I did not own any business. My savings account, my mutual fund; my investments, my TIAA-CREF retirement account through the University of Pennsylvania, and my checking account were all liquidated to pay for my attorney expenses. I am divorced and have no contact with my former spouse.

6. State every person, business, or organizatino owning you or your spouse mony and the amount owed. N/A

7. State the persons who rely on your or your spouse for support. N/A

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid bgy your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent	N/A	N/A

Utilities	N/A	N/A
Home maintenance (repairs and upkeep)	N/A	N/A
Food and clothing	\$25.00	N/A
Hygiene and Medication	\$55.00	N/A
(Deodorant, hand soap, shower soap, tooth paste, tooth brush, razors, floos, daily multivitamin, tolinaftate, ibuprofen, acetominophen, naproxen, loratidine; bandages, antibiotic ointment, shampoo, etc.)		
Communication and correspondence	\$50.00	N/A
(Stationary, envelopes, photocopies, credits for electronic messages, credit for telephone card, U.S. postage, international postage.)		
Laundry and dry-cleaning	N/A	N/A
Transportation	N/A	N/A
Recreation	N/A	N/A
Insurance	N/A	N/A
Taxes	N/A	N/A
Installment payments	N/A	N/A
Alimony	N/A	N/A
Other	N/A	N/A
<b>Total monthly expenses:</b>	<b>\$130.00</b>	<b>N/A</b>

9. Do you expect any major changes to your monthly income or expenses or in your assets of liabilities during the next 12 months? **No**

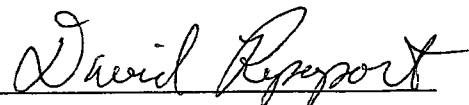
10. Have you paid or will you be paying an attorney any money for services in connection with this case, including the completion of this form? **No**

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? **No**

12. Provide any additional information that will why you cannot pay the costs of this case. N/A

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

Executed on : August 21, 2019

  
David Rapoport KH - 3567