

No. 19-7183

ORIGINAL

Supreme Court, U.S.
FILED

DEC 18 2019

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES
Third Circuit

Malcolm Williams — PETITIONER
(Your Name)

VS.

Commonwealth of Pa. — 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):

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) RECEIVED

DEC 26 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Malcolm Williams, 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	\$ 1875	\$ 0	\$ 1875
Self-employment	\$ 0	\$ xxx.50	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 100.00	\$ 0	\$ 100.00	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 15.00	\$ 0	\$ 15.00	\$ 0
Other (specify):	\$ 0	\$ 0	\$ 0	\$ 0
Total monthly income:	\$ 115.00	\$ 0	\$ 115.00	\$ 1875

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
None			\$
			\$
			\$

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
Aetna	2022	5/17	\$ 1875
health care	Market St.	Current	\$ 1875
	Phila, Pa.		\$

4. How much cash do you and your spouse have? \$ 1268.00

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
Inmate general Account	\$ 393.00	\$ 0
Savings Account	\$ 0	\$ 875.00

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

Home

Value 93,000

Other real estate

Value _____

Motor Vehicle #1

Year, make & model 2016 dodge

Value 12,00

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
none	\$ 0	\$ 0
	\$ _____	\$ _____
	\$ _____	\$ _____

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
M W	son	12
K P	Daughter	19
S P	Grand-daughter	4

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	\$ 900
Are real estate taxes included? <input checked="" 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)	\$ 100	\$ 735
Home maintenance (repairs and upkeep)	\$ 0	\$ 75
Food	\$ _____	\$ 400
Clothing	\$ _____	\$ 300
Laundry and dry-cleaning	\$ _____	\$ 25.00
Medical and dental expenses	\$ _____	\$ 125

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ _____	\$ 200 _____
Recreation, entertainment, newspapers, magazines, etc.	\$ _____	\$ 0 _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ _____	\$ 200 _____
Life	\$ _____	\$ 85.00 _____
Health	\$ _____	\$ 291 _____
Motor Vehicle	\$ _____	\$ 295 _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>included in mortgage</u>	\$ 0	\$ 0
Installment payments		
Motor Vehicle	\$ _____	\$ 252.00 _____
Credit card(s)	\$ _____	\$ 0 _____
Department store(s)	\$ _____	\$ 0 _____
Other: _____	\$ _____	\$ 0 _____
Alimony, maintenance, and support paid to others	\$ _____	\$ 0 _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ 0 _____
Other (specify): _____	\$ _____	\$ _____
Total monthly expenses:	\$ 175	\$ 2945

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? 20,000

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

Robert M. Sitoski, ESQ.

1420 Walnut Street, Suite 1216

Philadelphia PA 19102

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:

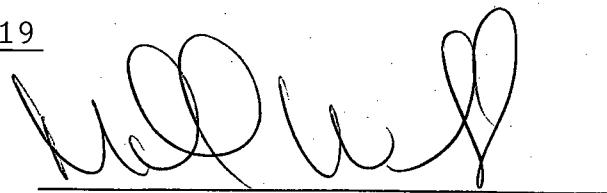
12. Provide any other information that will help explain why you cannot pay the costs of this case.

I am currently serving sentence of 24 1/2 to 50 year sentence

in State Correctional Facility and do not have a job nor can
I support myself or family.

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

Executed on: December 16, 2019



(Signature)