

19-7229  
IN THE SUPREME COURT OF THE UNITED STATES

ORIGINAL

ASATA D. LOWE

Petitioner

v.

MIKE PARRIS

BRIAN WHITMAN

CAPTAIN LOWELL H. RIDINGS

DALE BORING

ERNEST KEMPER III

ALCOA POLICE DEPT.

EDWARD P. BAILEY

KIRK E. ANDREWS

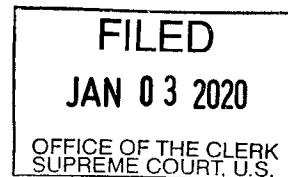
F.D. GIBSON

BLOUNT COUNTY DIST. ATTY OFFICE

BLOUNT COUNTY SHERIFF'S DEPT.

TENNESSEE DEPT. OF CORR.

Appellees

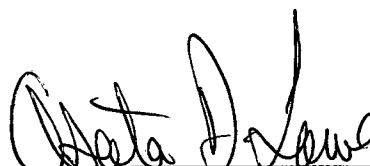


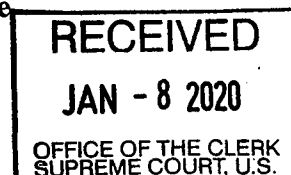
Case No. \_\_\_\_\_

**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

Pursuant to *Rule 39 of the Rules of the Supreme Court of the United States* and 28 U.S.C.A. § 1915 *et. al.*, the Movant seeks leave to proceed without prepayment of costs and to proceed *in forma pauperis*. Also in aid of this Court's jurisdiction the Petitioner also has attached a Petition for Prospective Relief Pursuant to 28 U.S.C.A. § 1651/28 U.S.C.A. § 1915(d).

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s): (1) Circuit Court of Blount County Tennessee, (2) Tennessee Court of Appeals, and the (3) Tennessee Supreme Court. Petitioner's affidavit or declaration in support of this motion is attached hereto.

  
Asata D. Lowe, Pro Se



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

I Asata D. Lowe swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621)

The nature of the action is a Writ of Certiorari filed pursuant to 28 U.S.C.A. § 1257. Also, the Affiant has also attached a Petition for Prospective Relief Pursuant to 28 U.S.C.A. § 1651/28 U.S.C.A. § 1915(d) to this filing.

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, or semiannually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

| Income source  | Average monthly amount during<br>The past 12 months |                     | Amount expected<br>next month |                     |
|--|---|---------------------|-------------------------------|---------------------|
|  | You   | Spouse              | You                           | Spouse              |
| Employment   | <u>\$60.00</u>                                      | <u>\$Don't Know</u> | <u>\$60.00</u>                | <u>\$Don't Know</u> |
| Self-employment                                      | <u>\$N/A</u>  | <u>\$Don't Know</u> | <u>\$N/A</u>                  | <u>\$Don't Know</u> |
| Income from real property<br>(such as rental income) | <u>\$N/A</u>  | <u>\$Don't Know</u> | <u>\$N/A</u>                  | <u>\$Don't Know</u> |
| Interest and dividends                               | <u>\$N/A</u>  | <u>\$Don't Know</u> | <u>\$N/A</u>                  | <u>\$Don't Know</u> |
| Gifts  | <u>\$N/A</u>  | <u>\$Don't Know</u> | <u>\$N/A</u>                  | <u>\$Don't Know</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                           | <u>\$N/A</u>  | <u>\$N/A</u>        | <u>\$N/A</u>                  | <u>\$N/A</u>        |

Security, pensions,  
Annuities, insurance)

Disability (such as social Security, insurance payments)    \$N/A    \$Don't Know    \$N/A    \$Don't Know

Unemployment payments    \$N/A    \$Don't Know    \$N/A    \$Don't Know

Public-assistance (such as welfare)    \$N/A    \$Don't Know    \$N/A    \$Don't Know

Other (specify): \_\_\_\_\_ \$N/A    \$N/A    \$N/A    \$N/A

**Total monthly income:** \$60.00    \$Don't Know    \$60.00    \$Don't Know

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 |
|----------|---------------|---------------------|-------------------|
| TDOC     | P.O. Box 2000 | Incarcerated for    | \$                |
|          | Wartburg, TN  | 20 years            | \$                |
|          | 37887         |                     | \$                |

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 |
|------------|------------|---------------------|-------------------|
| Don't Know | Don't Know | Don't Know          | \$ Don't Know     |

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

5. 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 your spouse has |
|-----------------------|-----------------|-----------------|------------------------|
| NA                    | NA              | \$ NA           | \$ Don't Know          |
|                       |                 | \$              | \$                     |

6. 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  
Value N/A

☐ Motor Vehicle #2  
Year, make & model N/A  
Value N/A

☐ Other assets  
Description N/A  
Value N/A

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

| Person owing you or<br>Your spouse money | Amount owed to you | Amount owed to your spouse |
|--|--------------------|----------------------------|
| <u>NA</u>                                | <u>\$NA</u>        | <u>\$NA</u>                |

8. State the persons who rely on you or your spouse for support.

| Name      | Relationship | Age     |
|-----------|--------------|---------|
| <u>NA</u> | <u></u>      | <u></u> |

9. 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<br>(include lot rental for mobile home) | <u>\$ NA</u>   | <u>\$ DON'T KNOW</u> |
| Are real estate taxes included? <u>NA</u>                             |                |                      |
| Is property insurance included? <u>NA</u>                             |                |                      |
| Utilities (electricity, heating fuel,<br>Water, sewer, and telephone) | <u>\$ NA</u>   | <u>\$ DON'T KNOW</u> |
| Home maintenance (repairs and upkeep)                                 | <u>\$ NA</u>   | <u>\$ DON'T KNOW</u> |
| Food  | <u>\$60.00</u> | <u>\$ DON'T KNOW</u> |

10. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months? NO

☐ Yes

☐ No

If yes, describe on an attached sheet.

11. 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

If yes, how much? NA

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

12. 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? NA

If yes, how much? NA

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

13. Provide any other information that will help explain why you cannot pay the costs of this case. I am poor. I have been incarcerated in the State of Tennessee for over 20 years.

The facts of this case are undisputed by all parties. In the initial complaint filed in the Blount County trial court titled 'Complaint for Extraordinary Process' the Petitioner (Asata D. Lowe) alleged as basis for the trial court's subject matter jurisdiction the following Tennessee statutes; (1) T.C.A. § 29-1-101 et. seq., (2) T.C.A. § 16-1-101 et. seq., (3) Article VI § 1 of the Tennessee Constitution, (4) T.C.A. § 17-1-201 et. seq., and (5) T.C.A. § 29-21-101 et. seq. (*see Appendix A-1 Complaint for Extraordinary Process pg. 1 in the section titled 'Jurisdictional Statement of the Claim'*) These statutes gave the trial court subject matter jurisdiction to issue injunctions,

**Additional material  
from this filing is  
available in the  
Clerk's Office.**