

19-7240

No. 158235

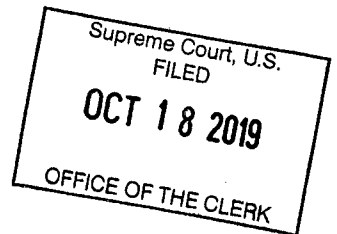
ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Damon S. Allen-Bell — PETITIONER
(Your Name)

VS.

United States — 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):

United States District Court
Michigan State Court of appeal

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

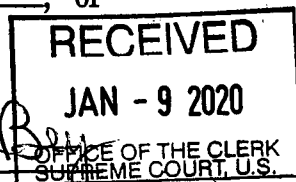
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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: _____

☐ a copy of the order of appointment is appended.

Damon S. Allen-Bell
(Signature)



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

I, Damon S Allen ^{Bay} 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>0</u>	\$ <u>0</u>	\$ <u>2</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</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
0			\$ 0
0			\$ 0
0			\$ 0

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
0			\$ 0
0			\$ 0
0			\$ 0

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.

Financial institution	Type of account	Amount you have	Amount your spouse has
0	0	\$ 0	\$ 0
0	0	\$ 0	\$ 0
0	0	\$ 0	\$ 0

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

☐ Home
Value 0

☐ Other real estate
Value 0

☐ Motor Vehicle #1
Year, make & model 0
Value 0

☐ Motor Vehicle #2
Year, make & model 0
Value 0

☐ Other assets
Description 0
Value 0

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

\$ 0
\$ 0
\$ 0

~~\$ _____
\$ _____
\$ _____~~

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

Name

Relationship

Age

0
0
0

0
0
0

0
0
2

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

\$ 0

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

\$ 0

\$ 0

Home maintenance (repairs and upkeep)

\$ 0

\$ 0

Food

\$ 0

\$ 0

Clothing

\$ 0

\$ 0

Laundry and dry-cleaning

\$ 0

\$ 0

Medical and dental expenses

\$ 0

\$ 0

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

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? 0

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? 0

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 a Inmate at the michigan Deptment of Correction

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

Executed on: December 2, 2019

S. Kinasz
Notary Public - State of Michigan
County of Chippewa
My Commission Expires: 11/12/2025
Acting in the County of Chippewa

S. Kinasz
(Signature)

In The Supreme Court
United States

Damon S. Allen-Bey
Petitioner,

V.

United States of America
Respondent,

Motion for leave to Proceed in Forma Pauperis

The Petitioner ask for leave to file the attached Petition for Writ of Certiorari
without payment of cost and to Proceed In Forma Pauperis

Petitioner Affidavit in support of this motion is attached hereto.

Name: D. Allen-Bey

Date: 10-17-19

Trust Account Statement

For the period 04/01/2019 to 10/01/2019

TQ

MDOC Nbr.: 570060

Name: Allen, Damon Sean

Current
Lock Loc.: B1:131:Bot:B1

Birth Date: 08/27/1976

Location: KINROSS CORRECTIONAL FA

Jurisdiction Dates: 05/11/2009

Active: Yes

Current Balance: .07

Hold Balance: .00

Account Dates: 10/29/2014

A/C. Status: Active

Sub Account Details

Account Code	Account Name	Balance As of 04/01/2019	Balance As of 10/01/2019
Trust-Kinross Caseload			
2101	Offender Funds	0.11	0.07
2198	Freeze	0.00	0.00
Trust-Lakeland Facility Caseload			
2101	Offender Funds	0.00	0.00
2198	Freeze	0.00	0.00
Trust-Marquette Prison Caseload			
2101	Offender Funds	0.00	0.00
2198	Freeze	0.00	0.00
Trust-Riverside/Deerfield/RMI Facility Caseload			
2101	Offender Funds	0.00	0.00
2198	Freeze	0.00	0.00
Trust-SMR Jackson Caseload			
2101	Offender Funds	0.00	0.00
2198	Freeze	0.00	0.00

Debts & Obligations

Deduction Type	Information No.	Effective Date	Original Amount	Amount Paid	Amount Owed	
Trust-Kinross Caseload						
IPFFF	Initial Partial Federal Filing Fee	2:16-CV-245 APPE	06/07/2019	5.05	0.00	5.05
LSO	Legal Supplies Obligation	84271651	08/10/2018	0.46	0.00	0.46
NCO	Notary Charge Obligation	88710322	05/21/2019	0.93	0.00	0.93
OCW	Federal Filing Fee (Western District	2:16-CV-245 APPE	01/08/2018	496.34	103.82	392.52
OCW	Federal Filing Fee (Western District	2:16-CV-245 APPE	06/07/2019	499.95	0.00	499.95
OLCST	Legal Copies (State)	81262105	01/31/2018	9.41	0.00	9.41
OLCST	Legal Copies (State)	81690598	02/23/2018	3.60	0.00	3.60
OLCST	Legal Copies (State)	81894394	03/09/2018	2.10	0.00	2.10
OLCST	Legal Copies (State)	82331710	04/06/2018	1.90	0.00	1.90
OLCST	Legal Copies (State)	82665286	04/27/2018	11.10	0.00	11.10
OLCST	Legal Copies (State)	84271510	08/10/2018	1.50	0.00	1.50
OLCST	Legal Copies (State)	84271502	08/10/2018	4.17	0.00	4.17
OLCST	Legal Copies (State)	85110652	10/05/2018	1.50	0.00	1.50
OLCST	Legal Copies (State)	87315972	02/27/2019	1.75	0.00	1.75
OLCST	Legal Copies (State)	88295312	04/30/2019	0.16	0.00	0.16
OLPPB	Legal Postage (PBF)	80707399	12/20/2017	0.46	0.00	0.46
OLPPB	Legal Postage (PBF)	80707398	12/20/2017	7.20	0.00	7.20
OLPPB	Legal Postage (PBF)	81273642	02/01/2018	7.25	0.00	7.25
OLPPB	Legal Postage (PBF)	81690155	02/23/2018	1.84	0.00	1.84
OLPPB	Legal Postage (PBF)	81690154	02/23/2018	6.56	0.00	6.56
OLPPB	Legal Postage (PBF)	81752894	03/02/2018	0.47	0.00	0.47
OLPPB	Legal Postage (PBF)	81792895	03/02/2018	0.47	0.00	0.47

Trust Account Statement
For the period 04/01/2019 to 10/01/2019

MDOC Nbr.: 570060	Name: Allen, Damon Sean	Current Lock Loc.: B1:131:Bot:B1	Active: Yes
Birth Date: 08/27/1976	Location: KINROSS CORRECTIONAL FA	Jurisdiction Dates: 05/11/2009	
Current Balance: .07	Hold Balance: .00	Account Dates: 10/29/2014	A/C. Status: Active

Deduction Type	Information No.	Effective Date	Original Amount	Amount Paid	Amount Owed
Trust-Kinross Caseload					
OLPPB Legal Postage (PBF)	81792896	03/02/2018	0.47	0.00	0.47
OLPPB Legal Postage (PBF)	81792897	03/02/2018	0.68	0.00	0.68
OLPPB Legal Postage (PBF)	81792903	03/02/2018	6.70	0.00	6.70
OLPPB Legal Postage (PBF)	81872764	03/08/2018	0.68	0.00	0.68
OLPPB Legal Postage (PBF)	81872765	03/08/2018	0.68	0.00	0.68
OLPPB Legal Postage (PBF)	81908223	03/09/2018	0.89	0.00	0.89
OLPPB Legal Postage (PBF)	82154055	03/22/2018	0.45	0.00	0.45
OLPPB Legal Postage (PBF)	82154058	03/22/2018	1.63	0.00	1.63
OLPPB Legal Postage (PBF)	82154057	03/22/2018	2.05	0.00	2.05
OLPPB Legal Postage (PBF)	82292444	04/04/2018	1.42	0.00	1.42
OLPPB Legal Postage (PBF)	82292445	04/04/2018	2.26	0.00	2.26
OLPPB Legal Postage (PBF)	82641889	04/24/2018	1.21	0.00	1.21
OLPPB Legal Postage (PBF)	82641888	04/24/2018	1.41	0.00	1.41
OLPPB Legal Postage (PBF)	82641890	04/24/2018	1.84	0.00	1.84
OLPPB Legal Postage (PBF)	82641891	04/24/2018	1.84	0.00	1.84
OLPPB Legal Postage (PBF)	83152091	05/30/2018	0.28	0.00	0.28
OLPPB Legal Postage (PBF)	84240159	08/09/2018	2.26	0.00	2.26
OLPPB Legal Postage (PBF)	84240158	08/09/2018	7.08	0.00	7.08
OLPPB Legal Postage (PBF)	84520613	08/27/2018	1.42	0.00	1.42
OLPPB Legal Postage (PBF)	84971218	09/26/2018	0.44	0.00	0.44
OLPPB Legal Postage (PBF)	85849179	11/21/2018	1.17	0.00	1.17
OLPPB Legal Postage (PBF)	86302884	12/19/2018	1.67	0.00	1.67
OLPPB Legal Postage (PBF)	87324922	02/28/2019	1.10	0.00	1.10
OLPPB Legal Postage (PBF)	87959278	04/11/2019	0.69	0.00	0.69
OLPPB Legal Postage (PBF)	88401158	05/10/2019	0.50	0.00	0.50
OLPPB Legal Postage (PBF)	88401159	05/10/2019	0.50	0.00	0.50
OLPPB Legal Postage (PBF)	88787148	05/31/2019	0.65	0.00	0.65
OMED Medical Co-Pay Obligation	84990497	09/28/2018	5.00	0.00	5.00

Trust-SMR Jackson Caseload

OCW	Federal Filing Fee (Western District 2:16-CV-245	11/22/2016	317.46	261.92	55.54
OSFF	State Filing Fee Obligation	340165	01/25/2018	334.00	73.65
OSFF	State Filing Fee Obligation	18-000022-MP COI 03/13/2018	135.00	0.00	135.00

Transaction Details

GJ No.	Date	Description	Debit	Credit
Trust-Kinross Caseload				
87959278	04/11/2019	LPOSPBF Legal Postage Disbursement (PBF)	.80	
		2101 Offender Funds	0.11	
		2582 Postage (PBF) Payable - Direct		0.11
		Narration: Batch: 2472404, Ref: KCF Legal Postage -		
53455427	04/12/2019	PR Payroll Receipt	23.94	
		1713 Payroll Receipts	23.94	
		2584 Federal Filing Fee(s) Payable		4.79
		2584 Federal Filing Fee(s) Payable		4.79

Trust Account Statement

For the period 04/01/2019 to 10/01/2019

MDOC Nbr.: 570060

Name: Allen, Damon Sean

Current
Lock Loc.: B1:131:Bot:B1

Birth Date: 08/27/1976

Location: KINROSS CORRECTIONAL FA

Jurisdiction Dates: 05/11/2009

Active: Yes

Current Balance: .07

Hold Balance: .00

Account Dates: 10/29/2014

A/C. Status: Active

GJ No.	Date	Description	Debit	Credit
Trust-Kinross Caseload				
		2556 State Filing Fee(s) Payable		3.47
		2101 Offender Funds		10.89
		<i>Narration: Batch: 2472500, Ref:KCF PPE MAR-19 YC 3</i>		
88182786	04/17/2019	CRT Commissary Regular Transaction	10.85	
		2101 Offender Funds	10.85	
		2501 Payable to Commissary		10.85
		<i>Narration: Batch: 2474339, Ref:102552317-Keefe Debit -</i>		
38295312	04/30/2019	LCSTD Legal Copies Disbursement (State)	.20	
		2101 Offender Funds	0.04	
		2581 Copies (State) Payable - Direct		0.04
		<i>Narration: Batch: 2478745, Ref:KCF LEGAL COPIES -</i>		
88401158	05/10/2019	LPOSPBF Legal Postage Disbursement (PBF)	.50	
		2101 Offender Funds	0.00	
		2582 Postage (PBF) Payable - Direct		0.00
		<i>Narration: Batch: 2482308, Ref:KCF Legal Postage -</i>		
88401159	05/10/2019	LPOSPBF Legal Postage Disbursement (PBF)	.50	
		2101 Offender Funds	0.00	
		2582 Postage (PBF) Payable - Direct		0.00
		<i>Narration: Batch: 2482308, Ref:KCF Legal Postage -</i>		
88579297	05/14/2019	PR Payroll Receipt	25.08	
		1116 Payroll Receipts	25.08	
		2554 Federal Filing Fee(s) Payable		5.02
		2554 Federal Filing Fee(s) Payable		5.02
		2556 State Filing Fee(s) Payable		4.04
		2101 Offender Funds		11.00
		<i>Narration: Batch: 2482007, Ref:KCF PPE APR-19</i>		
38594354	05/14/2019	SP/FD Special Project/Fund Raiser Disbursem	10.00	
		2101 Offender Funds	10.00	
		2525 Special Project / Fund Raiser Payable		10.00
		<i>Narration: Batch: 2482813, Ref:KCF FUNDRAISER-GARDEN PLOT -</i>		
88637250	05/15/2019	CRT Commissary Regular Transaction	.93	
		2101 Offender Funds	0.93	
		2501 Payable to Commissary		0.93
		<i>Narration: Batch: 2483598, Ref:102602566-Keefe Debit -</i>		
88710322	05/21/2019	NCD Notary Charge Disbursement (PBF)	1.00	
		2101 Offender Funds	0.07	
		2598 Notary Charge Payable - Direct		0.07
		<i>Narration: Batch: 2486346, Ref:KCF Notary Disbursement -</i>		
88787148	05/31/2019	LPOSPBF Legal Postage Disbursement (PBF)	.65	
		2101 Offender Funds	0.00	
		2582 Postage (PBF) Payable - Direct		0.00
		<i>Narration: Batch: 2489789, Ref:KCF Legal Postage -</i>		
88944216	06/14/2019	PR Payroll Receipt	26.22	
		1116 Payroll Receipts	26.22	
		2554 Federal Filing Fee(s) Payable		5.24
		2554 Federal Filing Fee(s) Payable		5.24
		2556 State Filing Fee(s) Payable		4.74
		2101 Offender Funds		11.00
		<i>Narration: Batch: 2492375, Ref:KCF PPE May-19</i>		
89223039	06/26/2019	CRT Commissary Regular Transaction	10.95	
		2101 Offender Funds	10.95	
		2501 Payable to Commissary		10.95
		<i>Narration: Batch: 2492345, Ref:102679479-Keefe Debit -</i>		

Trust Account Statement

For the period 04/01/2019 to 10/01/2019

MDOC Nbr.: 570060

Name: Allen, Damon Sean

Current
Lock Loc.: B1:131:Bot:B1

Birth Date: 08/27/1976

Location: KINROSS CORRECTIONAL FA Jurisdiction Dates: 05/11/2009

Active: Yes

Current Balance: .07

Hold Balance: .00

Account Dates: 10/29/2014

A/C. Status: Active

GJ No.	Date	Description	Debit	Credit
Trust-Kinross Caseload				
89485006	07/15/2019	PR Payroll Receipt	22.80	
		1116 Payroll Receipts	22.80	
		2554 Federal Filing Fee(s) Payable		4.56
		2554 Federal Filing Fee(s) Payable		4.56
		2556 State Filing Fee(s) Payable		2.73
		2101 Offender Funds		10.95
		<i>Narration: Batch: 2503380, Ref:KCF PPE June-19</i>		
89672993	07/22/2019	JPAYJD JPay Media Credit Payable	4.70	
		2101 Offender Funds	4.70	
		2600 JPay Media Credit Payable		4.70
		<i>Narration: Batch: 2506946, Ref:0054260747-JPAY E-STAMP -</i>		
89688506	07/24/2019	CRT Commissary Regular Transaction	5.82	
		2101 Offender Funds	5.82	
		2501 Payable to Commissary		5.82
		<i>Narration: Batch: 2507496, Ref:102729623-Keefe Debit -</i>		
89947274	08/14/2019	PR Payroll Receipt	26.22	
		1116 Payroll Receipts	26.22	
		2554 Federal Filing Fee(s) Payable		5.24
		2554 Federal Filing Fee(s) Payable		5.24
		2556 State Filing Fee(s) Payable		5.22
		2101 Offender Funds		10.52
		<i>Narration: Batch: 2512809, Ref:KCF PPE July-19</i>		
90124376	08/21/2019	CRT Commissary Regular Transaction	10.95	
		2101 Offender Funds	10.95	
		2501 Payable to Commissary		10.95
		<i>Narration: Batch: 2517029, Ref:102778826-Keefe Debit -</i>		
90452319	09/16/2019	PR Payroll Receipt	25.08	
		1116 Payroll Receipts	25.08	
		2554 Federal Filing Fee(s) Payable		5.02
		2554 Federal Filing Fee(s) Payable		5.02
		2556 State Filing Fee(s) Payable		4.09
		2101 Offender Funds		10.95
		<i>Narration: Batch: 2522791, Ref:KCF PPE August-19</i>		
90562075	09/18/2019	CRT Commissary Regular Transaction	10.93	
		2101 Offender Funds	10.93	
		2501 Payable to Commissary		10.93
		<i>Narration: Batch: 2526015, Ref:102827959-Keefe Debit -</i>		
			Total Receipts:	149.34
			Total Disbursements:	68.78

FEDERAL COURT - CIVIL ACTION

Prisoner-Plaintiff/Petitioner/Appellant name and number:

Damon Allen
New Case

V

Defendant's/Respondent's/Appellee's name

United States Supreme Court

CERTIFICATE OF PRISONER INSTITUTIONAL/TRUST FUND ACCOUNT ACTIVITY

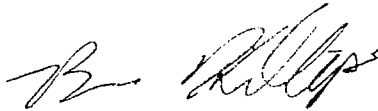
I am employed by the Michigan Department of Corrections at the facility identified below, at which the prisoner identified as the Plaintiff/Petitioner/Appellant is currently incarcerated.

Attached is a computer printout which accurately reflects the current spendable balance and all activity within this prisoner's account during the preceding six months or, if the prisoner has been incarcerated for less than six months, for the period of incarceration. The attached printout reflects, for the reported period, an average monthly account deposit (i.e., total deposits divided by number of months) of \$24.89

The (i.e., total deposits minus total withdrawals divided by number of months) of \$13.42

There is a current spendable account balance of \$0.07

Date: 10/01/19



CFA Accountant

Signature of Custodian of Prisoner Institutional/Trust Fund Account

Kinross Correctional Facility

Correctional Facility