

No. 19-7264

ORIGINAL

Supreme Court, U.S.
FILED

DEC 24 2019

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Washington D.C. 20543

Lazaro Zapata — PETITIONER
(Your Name)

VS.

State of Illinois — 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*.

[] Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

APPELLATE COURT OF ILLINOIS FIRST DISTRICT

SUPREME COURT OF ILLINOIS

[] 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.

Lazaro Zapata
(Signature)

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

I, Lazaro Zapata, 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>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Self-employment	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Gifts	\$ <u>150</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Alimony	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Child Support	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Unemployment payments	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Other (specify): _____	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</u>
Total monthly income:	\$ <u>N/A</u>	\$ <u>1</u>	\$ <u>N/A</u>	\$ <u>1</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
N/A	N/A	N/A	\$ N/A
			\$
			\$

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
N/A	N/A	N/A	\$ N/A
			\$
			\$

4. How much cash do you and your spouse have? \$ 178.13
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
Menard C.C.	TRUST FUND	\$ 178.13	\$ N/A
		\$	\$
		\$	\$

5. 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

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

N/A

\$ N/A

\$ N/A

\$

\$

\$

\$

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

Name

Relationship

Age

N/A

N/A

N/A

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)

\$ N/A

\$ N/A

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

\$ N/A

\$ N/A

Home maintenance (repairs and upkeep)

\$ N/A

\$ N/A

Food

\$ N/A

\$ N/A

Clothing

\$ N/A

\$ N/A

Laundry and dry-cleaning

\$ N/A

\$ N/A

Medical and dental expenses

\$ N/A

\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>1</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</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>N/A</u>	\$ <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>N/A</u>	\$ <u>0</u>	\$ <u>1</u>
Total monthly expenses:	\$ <u>0</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? _____


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 have no steady source of income and any money I do get added to my trust fund account comes from family members through their kindness and generosity.

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

Executed on: 12/15, 2019


(Signature)

CERTIFICATE

(TO BE COMPLETED FOR PRISONERS ONLY. THIS IS A STATEMENT BY THE PRISON AND NOT THE PRISONER)

I hereby certify that the plaintiff or petitioner in this action has the sum of \$_____ in his trust fund account at this correctional center where is confined. I further certify that the plaintiff or petitioner has the following securities to his credit according to the records of this institution:_____

Authorized Officer

Institution

Title

Date

IMPORTANT:

THIS CERTIFICATE MUST BE ACCOMPANIED BY A COPY OF A SIX MONTH LEDGER OF THE PLAINTIFF'S TRUST FUND ACCOUNT.

Date: 11/26/2019

Time: 1:51pm

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Menard Correctional Center Trust Fund

Page 1

Inmate Transaction Statement

REPORT CRITERIA - Date: 05/26/2019 thru End; Inmate: R31426; Active Status Only ? : No; Print Restrictions ? : Yes;
Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print Balance
Errors Only ? : No

Inmate: R31426 Zapata, Lazaro E.

Housing Unit: MEN-N2-06-28

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
Beginning Balance:							1.04
05/26/19	Mail Room	10 Western Union	146200	9684824647	Zapata, Christina	100.00	101.04
06/02/19	Mail Room	15 JPAY	153200	101547269	Ramirez, Angelmara	200.00	301.04
06/05/19	Point of Sale	60 Commissary	1567271	1439114	Commissary	-126.87	174.17
06/10/19	Payroll	20 Payroll Adjustment	1611277		P/R month of 5 2019	10.00	184.17
06/12/19	Point of Sale	60 Commissary	1637260	1440780	Commissary	-104.10	80.07
06/13/19	Mail Room	15 JPAY	164200	102013153	Castro, Christine	50.00	130.07
06/19/19	Mail Room	15 JPAY	170200	102274429	Ramirez, Angelmara	50.00	180.07
06/28/19	Disbursements	84 Library	1793113	Chk #169858	674960, DOC: 523 Fun, Inv. Date: 06/24/2019	-9.80	170.27
07/02/19	Payroll	20 Payroll Adjustment	1831277		P/R month of 6 2019	10.00	180.27
07/03/19	Mail Room	10 Western Union	184200	0852000287	Zapata, Christina	50.00	230.27
07/09/19	Disbursements	84 Library	1903113	Chk #169974	675674, DOC: 523 Fun, Inv. Date: 07/01/2019	-18.30	211.97
07/09/19	Disbursements	81 Legal Postage	1903113	Chk #169991	675713, DOC: 523 Fun, Inv. Date: 07/02/2019	-7.20	204.77
07/22/19	Disbursements	80 Postage	2033113	Chk #170353	677560, Pitney Bowes, Inv. Date: 07/22/2019	-1.30	203.47
08/02/19	Point of Sale	60 Commissary	2147183	1446156	Commissary	-45.00	158.47
08/08/19	Payroll	20 Payroll Adjustment	2201277		P/R month of 7 2019	3.40	161.87
08/12/19	AP Correction	88 gift	2245201	Chk #166892 Voided	88274436 - Mendoza, Marlene	100.00	261.87
08/12/19	AP Correction	88 gift	2245201	Chk #167515 Voided	88274974 - Jauregi, Jesus	25.00	286.87
08/13/19	Disbursements	88 gift	2253207	Chk #170744	88277768, Taylor, PI, Inv. Date: 08/13/2019	-50.00	236.87
08/15/19	Disbursements	84 Library	2273207	Chk #170825	679323, DOC: 523 Fun, Inv. Date: 08/12/2019	-6.10	230.77
08/15/19	Disbursements	80 Postage	2273207	Chk #170829	679518, Pitney Bowes, Inv. Date: 08/14/2019	-1.15	229.62
08/23/19	Point of Sale	60 Commissary	2357287	1450284	Commissary	-28.46	201.16
09/02/19	Mail Room	10 Western Union	245200	9341978020	Castro, Christina	100.00	301.16
09/05/19	Mail Room	15 JPAY	248200	105406607	Ramirez, Angelmara	100.00	401.16
09/06/19	Point of Sale	60 Commissary	2497287	1451138	Commissary	-29.09	372.07
09/16/19	Point of Sale	60 Commissary	2597260	1453126	Commissary	-23.00	349.07
09/19/19	Disbursements	88 gift	2623113	Chk #171505	88278373, Mendoza, M, Inv. Date: 09/19/2019	-100.00	249.07
09/20/19	Disbursements	84 Library	2633113	Chk #171538	682819, DOC: 523 Fun, Inv. Date: 09/20/2019	-17.50	231.57
10/01/19	Disbursements	84 Library	2743207	Chk #171717	683254, DOC: 523 Fun, Inv. Date: 09/25/2019	-11.00	220.57
10/01/19	Disbursements	84 Library	2743207	Chk #171717	683405, DOC: 523 Fun, Inv. Date: 09/27/2019	-1.10	219.47
10/03/19	Mail Room	10 Western Union	276200	8144554377	Zapata, Christina	150.00	369.47
10/04/19	Point of Sale	60 Commissary	2777271	1454938	Commissary	-155.87	213.60
10/04/19	Payroll	20 Payroll Adjustment	2771277		P/R month of 9 2019	8.50	222.10
10/04/19	Disbursements	84 Library	2773113	Chk #171773	683847, DOC: 523 Fun, Inv. Date: 10/03/2019	-5.90	216.20
10/04/19	Disbursements	84 Library	2773113	Chk #171773	683855, DOC: 523 Fun, Inv. Date: 10/03/2019	-4.30	211.90
10/04/19	Disbursements	84 Library	2773113	Chk #171773	683860, DOC: 523 Fun, Inv. Date: 10/03/2019	-4.40	211.50
11/07/19	Payroll	20 Payroll Adjustment	3111277		P/R month of 10 2019	4.08	215.58
11/08/19	Disbursements	84 Library	3123113	Chk #172426	686416, DOC: 523 Fun, Inv. Date: 11/05/2019	-4.60	210.98
11/15/19	Point of Sale	60 Commissary	3197260	1461152	Commissary	-21.65	189.33

Date: 11/26/2019

**Menard Correctional Center
Trust Fund**

Page 2

Time: 1:51pm

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Inmate Transaction Statement

REPORT CRITERIA - Date: 05/26/2019 thru End; Inmate: R31426; Active Status Only ? : No; Print Restrictions ? : Yes;
Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print Balance
Errors Only ? : No

Inmate: R31426 Zapata, Lazaro E.

Housing Unit: MEN-N2-06-28

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
11/21/19	Disbursements	84 Library	3253113	Chk #172676	687377, DOC: 523 Fun, Inv. Date: 11/18/2019	-10.90	178.43
11/21/19	Disbursements	84 Library	3253113	Chk #172676	687580, DOC: 523 Fun, Inv. Date: 11/19/2019	-.30	178.13

Total Inmate Funds: 178.13

Less Funds Held For Orders: .00

Less Funds Restricted: .00

Funds Available: 178.13

Total Furloughs: .00

Total Voluntary Restitutions: .00
