

19-7653

No. 7062

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Roosevelt Bigbee Jr. — PETITIONER
(Your Name)

Supreme Court, U.S.
FILED

JAN - 7 2020

OFFICE OF THE CLERK

VS.

Jonathan Lebo, Worden — 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):

Circuit Court for Lauderdale County Tenn.
Court of Criminal Appeal of Tenn. at Jackson Tenn.

☐ 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.

Roosevelt Bigbee
(Signature)

RECEIVED

FEB 12 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Roosevelt Bigbee, 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>20.00</u> | \$ <u>X</u> | \$ <u>20.00</u> | \$ <u>X</u> |
| Self-employment | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Income from real property (such as rental income) | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Interest and dividends | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Gifts | \$ <u></u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Alimony | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Child Support | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Retirement (such as social security, pensions, annuities, insurance) | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Disability (such as social security, insurance payments) | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Unemployment payments | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Public-assistance (such as welfare) | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Other (specify): <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> | \$ <u>X</u> |
| Total monthly income: | \$ <u>X</u> | \$ <u>X</u> | \$ <u>20.00</u> | \$ <u>X</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 |
|----------------------------------|--|---------------------|-------------------|
| West Tenn. Correctional Facility | W.T.S.P. P.O. Box 1150 Henning Tn. 38041 | Jan. 17, 2020 | \$ 20.00 |
| | | | \$ |
| | | | \$ |

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 |
|----------|---------|---------------------|-------------------|
| / | / | / | \$ / |
| | | | \$ |
| | | | \$ |

4. How much cash do you and your spouse have? \$ X
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 |
|-----------------------|-----------------|-----------------|------------------------|
| / | / | \$ / | \$ / |
| | | \$ | \$ |
| | | \$ | \$ |

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

☐ Home X
Value _____

☐ Other real estate
Value X

☐ Motor Vehicle #1 X
Year, make & model _____
Value _____

☐ Motor Vehicle #2 X
Year, make & model _____
Value _____

☐ Other assets X
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

\$ _____
\$ _____
\$ _____

\$ _____
\$ _____
\$ _____

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

Name

Relationship

Age

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)

\$ _____

\$ _____

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

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

\$ _____

\$ _____

Home maintenance (repairs and upkeep)

\$ _____

\$ _____

Food

\$ _____

\$ _____

Clothing

\$ _____

\$ _____

Laundry and dry-cleaning

\$ _____

\$ _____

Medical and dental expenses

\$ _____

\$ _____

| | You | Your spouse |
|---|-------------|-------------|
| Transportation (not including motor vehicle payments) | \$ <u>X</u> | \$ <u>X</u> |
| Recreation, entertainment, newspapers, magazines, etc. | \$ <u>X</u> | \$ <u>X</u> |
| Insurance (not deducted from wages or included in mortgage payments) | | |
| Homeowner's or renter's | \$ <u>X</u> | \$ <u>X</u> |
| Life | \$ <u>X</u> | \$ <u>X</u> |
| Health | \$ <u>X</u> | \$ <u>X</u> |
| Motor Vehicle | \$ <u>X</u> | \$ <u>X</u> |
| Other: _____ | \$ <u>X</u> | \$ <u>X</u> |
| Taxes (not deducted from wages or included in mortgage payments) | | |
| (specify): _____ | \$ <u>X</u> | \$ <u>X</u> |
| Installment payments | | |
| Motor Vehicle | \$ <u>X</u> | \$ <u>X</u> |
| Credit card(s) | \$ <u>X</u> | \$ <u>X</u> |
| Department store(s) | \$ <u>X</u> | \$ <u>X</u> |
| Other: _____ | \$ <u>X</u> | \$ <u>X</u> |
| Alimony, maintenance, and support paid to others | \$ <u>X</u> | \$ <u>X</u> |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ <u>X</u> | \$ <u>X</u> |
| Other (specify): _____ | \$ <u>X</u> | \$ <u>X</u> |
| Total monthly expenses: | \$ <u>X</u> | \$ <u>X</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've been imprisoned for 29 years of my 49 years of life. living

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

Executed on: Fed. 3, 2020

Roosevelt B. Bee
(Signature)



State of Tennessee
DEPARTMENT OF CORRECTION
West Tennessee State Penitentiary
P.O. Box 1150
Henning, Tennessee 38041-1150
Telephone (731) 738-5044 FAX (731) 738-5044

PRISON TRUST FUND AFFIDAVIT

Roosevelt Bigbee
Inmate name

142829
TDOC no.

NOTICE TO PRISONER: a prisoner seeking to proceed IFP (In Forma Pauper) shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

CERTIFICATE

(Incarcerated applicants only)
(To be completed by the institution of incarceration)

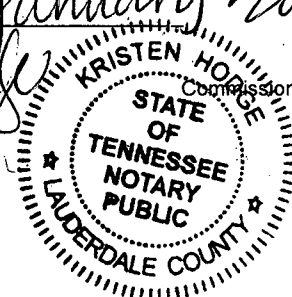
I certify that the applicant named herein has the sum of \$7.85 on account to his credit at West Tennessee State Penitentiary. I further certify that the applicant has the securities to his credit N/A.
I further certify that during the past six months the applicant's average deposits were \$75.00.

I, Asmaa Abdalla, am a State of Tennessee employee, who serves as the Inmate Trust Fund Custodian for prisoners at West Tennessee State Penitentiary. By my signature below, I certify that the attached computer printout of the named prisoner is true and correct in designating his trust account activity for the past six (6) months with the Department of Correction.

01/15/20
Date

Asmaa Abdalla
Signature of Authorized Officer; Trust Fund Custodian

Sworn before me this 15 day of January 2020
Michael J. Hodge
Notary



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BI41BFA

TRUST FUND TRANSACTIONS
SELECT

DATE: 01/15/20
TIME: 09:08

Account: 00142829 BIGBEE, ROOSEVELT JR

Actual Site: WTSP

Status: ACTV Sex: M Race: B Age: 49

Assigned Site: WTSP

Current Balance: 7.85 Pending Balance:

50.00

| S | Trans Date | Seq No | Transaction Type/Code/Amount | Trans Site | Current Amount | Pend Amount |
|---|------------|--------|------------------------------|------------|----------------|-------------|
| | 01/15/2020 | 1 | C VPC 50.00 | WTSP | 7.85 | 50.00 |
| | 01/14/2020 | 1 | D COP 1.65 | WTSP | 7.85 | |
| | 01/10/2020 | 1 | C CAN 3.00 | WTSP | 9.50 | |
| | 01/08/2020 | 1 | D NOT 4.00 | WTSP | 6.50 | |
| | 12/19/2019 | 1 | D COM 29.03 | WTSP | 10.50 | |
| | 12/11/2019 | 1 | D COM 26.87 | WTSP | 39.53 | |
| | 12/03/2019 | 1 | D COM 12.72 | WTSP | 66.40 | |
| | 11/22/2019 | 1 | D COM 22.85 | WTSP | 79.12 | |
| | 11/19/2019 | 1 | D OBI 3.00 | WTSP | 101.97 | |
| | 11/18/2019 | 1 | D COM 15.91 | WTSP | 104.97 | |

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TRUST FUND TRANSACTIONS
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DATE: 01/15/20
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50.00

| S | Trans Date | Seq No | Transaction Type/Code/Amount | Trans Site | Current Amount | Pend Amount |
|---|------------|--------|------------------------------|------------|----------------|-------------|
| | 11/12/2019 | 1 | D COM 25.09 | WTSP | 120.88 | |
| | 11/08/2019 | 1 | D CBL 3.00 | WTSP | 145.97 | |
| | 11/04/2019 | 1 | D COM 4.85 | WTSP | 148.97 | |
| | 10/28/2019 | 1 | D COM 21.06 | WTSP | 153.82 | |
| | 10/21/2019 | 1 | D COM 35.94 | WTSP | 174.88 | |
| | 10/15/2019 | 2 | D CBL 3.00 | WTSP | 210.82 | |
| | 10/15/2019 | 1 | C VPC 50.00 | WTSP | 213.82 | |
| | 10/11/2019 | 1 | D COM 15.34 | WTSP | 163.82 | |
| | 10/09/2019 | 1 | D MED 3.00 | WTSP | 179.16 | |
| | 10/01/2019 | 1 | D COM 10.64 | WTSP | 182.16 | |

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[illegible]

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TRUST FUND TRANSACTIONS
SELECT

DATE: 01/15/20
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Account: 00142829 BIGBEE, ROOSEVELT JR

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Actual Site: WTSP

Assigned Site: WTSP

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50.00

| S | Trans Date | Seq No | Transaction Type/Code/Amount | Trans Site | Current Amount | Pend Amount |
|---|------------|--------|------------------------------|------------|----------------|-------------|
| | 09/23/2019 | 1 | D COM 35.70 | WTSP | 192.80 | |
| | 09/17/2019 | 2 | D CBL 3.00 | WTSP | 228.50 | |
| | 09/17/2019 | 1 | D COM 10.62 | WTSP | 231.50 | |
| | 09/12/2019 | 1 | D INC 24.00 | WTSP | 242.12 | |
| | 09/09/2019 | 2 | D POS 3.20 | WTSP | 266.12 | |
| | 09/09/2019 | 1 | D COM 43.45 | WTSP | 269.32 | |
| | 09/06/2019 | 1 | D OBI 39.95 | WTSP | 312.77 | |
| | 08/28/2019 | 1 | C VIC 300.00 ✓ | WTSP | 352.72 | |
| | 08/26/2019 | 2 | D COM 10.47 | WTSP | 52.72 | |
| | 08/26/2019 | 1 | C VIC 50.00 ✓ | WTSP | 63.19 | |

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50.00

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|---|------------|--------|------------------------------|------------|----------------|-------------|
| | 08/15/2019 | 2 | D CBL 3.00 | WTSP | 13.19 | |
| | 08/15/2019 | 1 | C COC 1.33 | WTSP | 16.19 | |
| | 08/06/2019 | 1 | D COM 29.60 | WTSP | 14.86 | |
| | 07/23/2019 | 1 | D COM 36.78 | WTSP | 44.46 | |
| | 07/16/2019 | 1 | D COM 68.74 | WTSP | 81.24 | |
| | 07/09/2019 | 1 | D COM 24.50 | WTSP | 149.98 | |
| | 07/08/2019 | 1 | C VIC 100.00 | WTSP | 174.48 | |
| | 07/05/2019 | 1 | C VPC 50.00 | WTSP | 74.48 | |
| | 07/03/2019 | 1 | D COM 51.71 | WTSP | 24.48 | |
| | 06/25/2019 | 1 | D COM 29.72 | WTSP | 76.19 | |

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