

19-7698

No. 18-11654

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Martin Calderon-Ortalejo — PETITIONER
(Your Name)

VS.

United States of America — RESPONDENT(S)

FILED
FEB 11 2020

OFFICE OF THE CLERK
SUPREME COURT, U.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.

Martin Calderon
(Signature)

Martin Calderon-Ortalejo

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

I, Martin Calderon-Ortalejo, 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	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Self-employment	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Income from real property (such as rental income)	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Interest and dividends	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Gifts	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Alimony	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Child Support	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Retirement (such as social security, pensions, annuities, insurance)	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Disability (such as social security, insurance payments)	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Unemployment payments	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Public-assistance (such as welfare)	\$ 0.00	\$ ---	\$ 0.00	\$ ---
Other (specify): <u>HELP RECEIVED \$ 400.00 FROM FRIENDS AND FAMILY</u>	\$ ---		\$ 400.00	\$ ---
Total monthly income:	\$ 400.00	\$ ---	\$ 400.00	\$ ---

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
No employment since May 2018 when taken into custody			\$ 0.00
			\$
			\$

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
Not married. Divorced.			\$ 0.00
			\$
			\$

4. How much cash do you and your spouse have? \$ 0.00 (No cash allowed for me)

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
No Bank Accounts currently openned.		\$	\$
		\$	\$
		\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings. No assets of any kind.

Home
Value _____

Other real estate
Value _____

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

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
<u>No one</u>	\$ <u>---</u>	\$ <u>---</u>
	\$ <u>_____</u>	\$ <u>_____</u>
	\$ <u>_____</u>	\$ <u>_____</u>

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

Name	Relationship	Age
<u>No one</u>	<u>---</u>	<u>---</u>
	<u>_____</u>	<u>_____</u>
	<u>_____</u>	<u>_____</u>

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)	\$ <u>0.00</u>	\$ <u>---</u>
Are real estate taxes included? <input 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)	\$ <u>0.00</u>	\$ <u>---</u>
Home maintenance (repairs and upkeep)	\$ <u>0.00</u>	\$ <u>---</u>
Food	\$ <u>400.00</u>	\$ <u>---</u>
Clothing	\$ <u>0.00</u>	\$ <u>---</u>
Laundry and dry-cleaning	\$ <u>0.00</u>	\$ <u>---</u>
Medical and dental expenses	\$ <u>0.00</u>	\$ <u>---</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0.00	\$ ---
Recreation, entertainment, newspapers, magazines, etc.	\$ 0.00	\$ ---
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0.00	\$ ---
Life	\$ 0.00	\$ ---
Health	\$ 0.00	\$ ---
Motor Vehicle	\$ 0.00	\$ ---
Other: <u>No other expenses</u>	\$ 0.00	\$ ---
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>None</u>	\$ 0.00	\$ ---
Installment payments		
Motor Vehicle	\$ 0.00	\$ ---
Credit card(s)	\$ 0.00	\$ ---
Department store(s)	\$ 0.00	\$ ---
Other: <u>Restitution of \$ 5,782.00</u> <u>Payable to the District Court Clerk</u>	\$ 25.00	\$ ---
Alimony, maintenance, and support paid to others	\$ 0.00	\$ ---
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0.00	\$ ---
Other (specify): <u>No others.</u>	\$ 0.00	\$ ---
Total monthly expenses:	\$ 425.00	\$ ---

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? \$ 300.00 (for this process and future ones)

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

Adrian Olivares
1152 Edwin - Westland, Michigan

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

I possess no assets that I could liquidate in order to pay the cost at this time. I got divorced in 1995 and I have not been married since then. I live on a monthly basis from help and support I receive from friends and relatives.

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

Executed on: 3th day of February, 2020

Martin Calderon
(Signature)
Martin Calderon-Ortalejo
Reg. No. 25031-051
Great Plains Correctional Facility

No. 18-11654

In The Supreme Court of The United States

A F F I D A V I T In Support of
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Martin Calderon-Ortalejo
Petitioner

I, Martin Calderon-Ortalejo, hereby declare that the following information is true and correct.

I am currently serving a federal sentence at Great Plains Correctional Facility in Hinton, Oklahoma. I have appealed by sentence and because my appeal was dismissed, I am now requesting with the upmost respect to the Supreme Court of The United States for a Writ of Certiorari.

I am currently divorced and have three children from my previous marriage. All my children are adults and they now help me with basic needs and money to buy food and hygiene items from commissary.

I possess no assets of any kind. No houses, no vehicles and no belongings of any kind. The only source of income or money that I have in my commissary account comes from the help of friends and family who send my money every month to cover my expenses in commissary.

I have attached to this Affidavit a copy of my last Commissary Account Balance as of February 3, 2020 that shows the transactions and balance in my account.

Respectfully Submitted,

Martin Calderon
Martin Calderon-Ortalejo
Reg. No. 25031-051
Great Plains Correctional Facility
P.O. Box 400
Hinton, OK 73047