

19-7982

No.:

ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

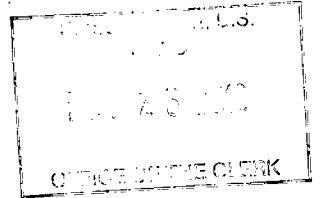
ALEX PENLAND

Petitioner,

v.

STATE OF OHIO

Respondent,



ON PETITION FOR WRIT OF CERTIORARI TO
THE OHIO SUPREME COURT

**PETITIONER'S MOTION TO PROCEED
IN FORMA PAUPERIS**

Petitioner Alex Penland respectfully request leave to proceed *in forma pauperis*. Mr. Penland was declared indigent by the Hamilton County, Ohio Court of Common Pleas and has been represented on appeal by appointed counsel. Mr. Penland is proceeding in this cause *pro se*.

Mr. Penland is presently incarcerated at the Lebanon Correctional Institution in Lebanon, Ohio and lacks the financial resources to afford retained counsel, court filing fees, and printing cost. He therefore, moves to proceed with the filing of his Petition for Writ of Certiorari *in forma pauperis*.

Respectfully submitted,

Alex Penland #716-815
3791 State Route 63
Lebanon, Ohio 45036

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

I, ALEX PENLAND, 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>19</u>	\$ <u>N/A</u>	\$ <u>19</u>	\$ <u>NA</u>
Self-employment	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>
Interest and dividends	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>
Gifts	\$ <u>?</u>	\$ <u></u>	\$ <u>?</u>	\$ <u></u>
Alimony	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>
Child Support	\$ <u>4.00</u>	\$ <u></u>	\$ <u>4.00</u>	\$ <u></u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>
Unemployment payments	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>
Other (specify): _____	\$ <u>N/A</u>	\$ <u></u>	\$ <u>N/A</u>	\$ <u></u>
Total monthly income:	\$ <u>19</u>	\$ <u></u>	\$ <u>19</u>	\$ <u></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
LEBANON CORP	3791 STATE RT	MARCH 2019	\$ 12.00
	63		\$
	LEBANON, OHIO		\$
	45036		\$

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			\$
			\$
			\$

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.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
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 _____

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

☐ Other assets
Description N/A
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

N/A

\$ N/A
\$ _____
\$ _____

\$ N/A
\$ _____
\$ _____

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name

Relationship

Age

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)

\$ _____

\$ _____

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

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.

DUE TO BEING INCARCERATED SERVING 28 YEARS TO LIFE

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

Executed on: FEBRUARY 21, 2020


(Signature)