

No. ____

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 2019

DONNIE L. HARRIS, JR.

Petitioner,

v.

THE STATE OF OKLAHOMA

Respondent.

**MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS**

**KRISTI CHRISTOPHER
Oklahoma Bar No. 15958**

**Oklahoma Indigent Defense System
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ATTORNEY FOR PETITIONER

March 24, 2020

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

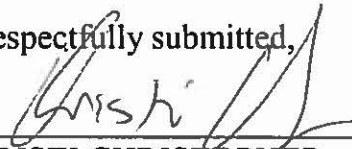
Petitioner, Donnie L. Harris, Jr., an indigent inmate of the Oklahoma State Penitentiary, submits this Motion for Leave to Proceed In Forma Pauperis with his Petition for Writ of Certiorari to the Oklahoma Court of Criminal Appeals.

As demonstrated in the attached affidavit, Donnie L. Harris, Jr., has been in the continuous custody of the State of Oklahoma since his arrest on criminal charges.

The attached affidavit is on the form provided by the Clerk of this Court, and complies with this Court's Rule 39.1 and 28 U.S.C. Section 1746(b) and 1915.

It is respectfully requested that this Court grant this Motion for Leave to Proceed In Forma Pauperis, and permit Donnie L. Harris, Jr., to submit his petition for writ of certiorari for filing without prepayment of filing fees or costs.

Respectfully submitted,



KRISTI CHRISTOPHER

Kristi Christopher
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ATTORNEY FOR PETITIONER
DONNIE L. HARRIS, JR.

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

I, Donnie L. Harris, Jr., 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>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Gifts	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child Support	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ _____	\$ _____	\$ _____	\$ _____

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			\$ _____
			\$ _____
			\$ _____

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? \$ _____
 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.

- | | |
|--|--|
| <input type="checkbox"/> Home
Value <u>None</u> | <input type="checkbox"/> Other real estate
Value <u>None</u> |
| <input type="checkbox"/> Motor Vehicle #1
Year, make & model _____
Value <u>None</u> | <input type="checkbox"/> Motor Vehicle #2
Year, make & model _____
Value <u>None</u> |
| <input type="checkbox"/> Other assets
Description <u>None</u>
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
<i>None</i>	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
<i>None</i>	_____	_____
_____	_____	_____
_____	_____	_____

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? <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)	\$ _____	\$ _____
Home maintenance (repairs and upkeep)	\$ _____	\$ _____
Food	\$ _____	\$ _____
Clothing	\$ _____	\$ _____
Laundry and dry-cleaning	\$ _____	\$ _____
Medical and dental expenses	\$ _____	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ _____	\$ _____
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.

ON death row or in jail/prison for the past 8 years

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

Executed on: December 18, 2019

Domini Kouris
(Signature)

Filing U.S. Supreme Court Documents by Mail

Rules

Rule 29 of the Supreme Court Rules sets forth the requirements for filing and serving documents. A Petition for Writ of Certiorari is deemed to be filed on the day it is received in the Clerk's Office in Washington, D.C. The Petition and copies must reach the Clerk's Office by the end of the last day of the period specified in the statute or rule that fixes the time limit, plus any extension granted by a Justice. A document sent by private delivery or courier service (*e.g.*, Federal Express) is timely filed only if it is actually received by the Clerk within the time permitted for filing.

However, a document is also timely filed if:

- (1) it is sent through the United States Postal Service,
- (2) first-class postage prepaid (including express or priority mail),
- (3) properly addressed to the Clerk of the Supreme Court, and
- (3) bears a postmark showing that the document was mailed on or before the due date.

NOTE: Commercial postage meter labels alone are not acceptable.

If the postmark is missing or not clearly legible, the Supreme Court may require a notarized statement or declaration setting out the date of deposit and stating that first-class postage has been prepaid.

Procedures

Anytime filing with the Supreme Court is accomplished by depositing the pleading in the U.S. mail, the following procedure is to be implemented. Deviation from these rules will constitute grounds for termination of employment.

- (1) One person will prepare the package for mailing.
- (2) A second person will verify that the label is correct
- (3) A photocopy of the box will be made.
- (4) A member of the CDA will personally take the package to the post office and insure that the package is postmarked & will have the photocopy of the box stamped with a postmark.
- (5) The form attached will be filled out with signatures of the appropriate persons.

Log of Filing U.S. Supreme Court Document by Mail

Petitioner's Name _____

Package Prepared by _____

Label Checked by _____

Taken to Post Office by _____

Post Office Where Mailed _____

Date Mailed _____

Time Mailed _____