

No.

IN THE
SUPREME COURT OF THE UNITED STATES

Shawn M. Twitty, Petitioner

VS.

State of Indiana, Respondent

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

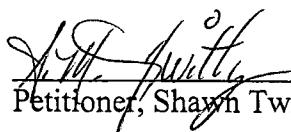
The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

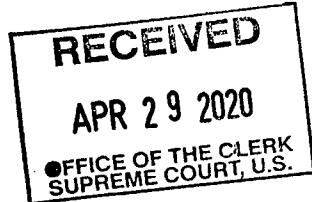
Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Marion County Superior Court, Criminal Division Six (Marion County, Indiana); and the
Indiana Court of Appeals, Cause No. 19A-CR-00500

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, Shawn Twitty (Signature)



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

I, Shawn M. Twitty, 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 the 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	\$ _____	\$ _____	\$ _____	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): <u>FAMILY</u> ¹	\$ _____	\$ _____	\$???	\$ _____

¹ Petitioner will note for the Court's consideration that his monthly income is based on prison pay-scale where he gets \$0.25 cents per hour. Additionally, Petitioner advises that any outside "family" assistance is indeterminate as far as its regularity and cannot be relied upon for the payment of any fees associated with this action.

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	Gross monthly pay
<u>Aramark Food Serv.</u>	<u>WVCF</u>		\$ <u>60. 50</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

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	Gross monthly pay
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ _____
Below, state any money your 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>N/A</u>	<input type="checkbox"/> Other real estate Value _____
<input type="checkbox"/> Motor Vehicle #1 Year, make & model <u>N/A</u>	<input type="checkbox"/> Motor Vehicle #2 Year, make & model <u>N/A</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
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" 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): _____	\$ _____	\$ _____
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Installment payments

Motor Vehicle	\$ _____	\$ _____
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____

Alimony, maintenance, and support paid to others	\$ _____	\$ _____
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Regular expenses for operation of business, profession, Or farm (attach detailed statement)	\$ _____	\$ _____
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Other (specify): <u>Hygiene</u> _____	\$ <u>20.00</u>	\$ _____
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Other (specify): <u>Commissary</u> _____	\$ <u>30.00</u>	\$ _____
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Total monthly expenses:	\$ _____	\$ _____
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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.

Petitioner will note to please the Court that he is currently incarcerated in the Indiana Dep't. of Correction and his "employer" is the food service provider "Aramark." Further, Petitioner asserts that his "gross income" is the amount of monthly "State-pay" that he is provided by the Wabash Valley Correctional Facility which does not exceed \$60.00 per month.

Additionally, Petitioner attaches a six (6) month print out of his prison account transaction history.

I, the undersigned, declare under penalty of perjury that the foregoing is true and correct, so help me God!

Executed on: April 20th, 2020



Shawn M. Twitty (Signature)

9:49:37 Monday, April 20, 2020

TFMITRAN
LOC: WVC

OFFENDER TRUST SYSTEM
TRANSACTION HISTORY INQUIRY

04/20/20 9:49:32
USER: WVCH08

OFFENDER NO 955613

NAME: TWITTY

SHAWN

R

FROM DATE: 10 / 20 / 2019 TO DATE: 04 / 20 / 2020 STATUS: AC HSE UNIT: MU

DOCMT NUMBER	TRAN CODE	DESCRIPTION	ENDING BALANCE (END OF MONTH)=				ACCOUNT NUMBER
			TRAN TYPE	POST DATE	BATCH NO.	TRAN AMOUNT	
665023	ISRV REC COPY		D	04/17/2020	008	\$9.40	955613
4372568353	ELEC Bigbee, Rasheda		C	04/15/2020	082	\$60.00	955613
PK	SAVD RE-ENTRY ACCOUNT DEDUCT		D	04/15/2020	035	\$9.43	955613
PK	SP03		C	04/15/2020	034	\$62.87	955613
COMM CR	ADJC WVC-00000752715A/REFUND		C	04/09/2020	002	\$32.89	955613
0102365542	ELEC Edmonds, Alfredest		C	04/09/2020	001	\$20.00	955613
WVC 04/06	COMM WVC-00000752715A / 001		D	04/06/2020	028	\$32.89	955613
5147046245	ELEC Bigbee, Rasheda		C	04/03/2020	026	\$30.00	955613
665023	ISRV REC COPY		D	03/24/2020	033	\$0.60	955613
WVC 03/23	COMM WVC-00000721415A / 001		D	03/23/2020	035	\$56.67	955613
PAGE : 0001							

TRANSACTION INQUIRY COMPLETE

PF2=DISPLAY TRANSACTIONS PF7=PG/UP PF8=PG/DN *PF9=CLEAR SCREEN* PF10=EXIT

9:49:39 Monday, April 20, 2020

TFMITRAN
LOC: WVC

OFFENDER TRUST SYSTEM
TRANSACTION HISTORY INQUIRY

04/20/20 9:49:32
USER: WVCH08

OFFENDER NO 955613

NAME: TWITTY

SHAWN

R

FROM DATE: 10 / 20 / 2019 TO DATE: 04 / 20 / 2020 STATUS: AC HSE UNIT: MU

DOCMT NUMBER	TRAN CODE	DESCRIPTION	ENDING BALANCE (END OF MONTH)=			ACCOUNT NUMBER
			TRAN TYPE	POST DATE	BATCH NO.	
WVC 03/23	COMM	WVC-00000721415B / 001	D	03/23/2020	035	\$162.57
PK	SAVD	RE-ENTRY ACCOUNT DEDUCT	D	03/17/2020	046	\$11.10 955613
PK	SP02		C	03/17/2020	045	\$9.40 955613
6779575583	ELEC	Edmonds,Alfredest	C	03/15/2020	001	\$62.68 955613
WVC 02/24	COMM	WVC-00000670390G / 001	D	02/24/2020	033	\$20.00 955613
WVC 02/24	COMM	WVC-00000670390A / 001	D	02/24/2020	033	\$3.73 955613
WVC 02/24	COMM	WVC-00000670390B / 001	D	02/24/2020	033	\$56.61 955613
PK	SAVD	RE-ENTRY ACCOUNT DEDUCT	D	02/19/2020	042	\$13.33 955613
PK	SP01		C	02/19/2020	041	\$9.19 955613
9538651493	ELEC	Twitty,Airrion	C	02/14/2020	021	\$61.25 955613
PAGE : 0002						\$25.00 955613

PF2=DISPLAY TRANSACTIONS PF7=PG/UP PF8=PG/DN *PF9=CLEAR SCREEN* PF10=EXIT

9:49:42 Monday, April 20, 2020

TFMITRAN
LOC: WVC

OFFENDER TRUST SYSTEM
TRANSACTION HISTORY INQUIRY

04/20/20 9:49:32
USER: WVCH08

OFFENDER NO 955613

NAME: TWITTY

SHAWN

R

FROM DATE: 10 / 20 / 2019 TO DATE: 04 / 20 / 2020 STATUS: AC HSE UNIT: MU

ENDING BALANCE (END OF MONTH) = \$162.57

DOCMT NUMBER	TRAN CODE	DESCRIPTION	TRAN TYPE	POST DATE	BATCH NO.	TRAN AMOUNT	ACCOUNT NUMBER
WVC 01/20	COMM	WVC-00000613709A	/ 001	D 01/20/2020	004	\$45.28	955613
WVC 01/20	COMM	WVC-00000613709B	/ 001	D 01/20/2020	004	\$7.02	955613
PK	SAVD	RE-ENTRY ACCOUNT DEDUCT		D 01/15/2020	047	\$6.57	955613
PK	SP12			C 01/15/2020	046	\$43.81	955613
6036372769	ELEC	Bigbee, Rasheda		C 01/12/2020	001	\$15.00	955613
WVC 01/06	EL11	WVC-00000585746Y	/ 001	D 01/06/2020	024	\$5.00	955613
WVC 01/06	COMM	WVC-00000585746C	/ 001	D 01/06/2020	022	\$25.67	955613
WVC 01/06	COMM	WVC-00000585746A	/ 001	D 01/06/2020	022	\$5.32	955613
WVC 12/23	COMM	WVC-00000569249A	/ 001	D 12/23/2019	026	\$42.31	955613
WVC 12/23	COMM	WVC-00000569249B	/ 001	D 12/23/2019	026	\$21.73	955613

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PF2=DISPLAY TRANSACTIONS PF7=PG/UP PF8=PG/DN *PF9=CLEAR SCREEN* PF10=EXIT

9:49:44 Monday, April 20, 2020

TFMITRAN
LOC: WVC

OFFENDER TRUST SYSTEM
TRANSACTION HISTORY INQUIRY

04/20/20 9:49:32
USER: WVCH08

OFFENDER NO 955613

NAME: TWITTY

SHAWN

R

FROM DATE: 10 / 20 / 2019 TO DATE: 04 / 20 / 2020 STATUS: AC HSE UNIT: MU

DOCMT NUMBER	TRAN CODE	DESCRIPTION	ENDING BALANCE (END OF MONTH)=			ACCOUNT NUMBER
			TRAN TYPE	POST DATE	BATCH NO.	
HOLIDAYGIF	ADJC		C	12/19/2019	008	\$162.57
PK	SAVD	RE-ENTRY ACCOUNT DEDUCT	D	12/17/2019	047	\$3.00 955613
PK	SP11		C	12/17/2019	046	\$10.11 955613
3888720161	ELEC	Edmonds, Alfredest	C	12/16/2019	025	\$67.43 955613
665021	ISRV	POSTAGE	D	12/12/2019	016	\$40.00 955613
665023	ISRV	REC COPY	D	12/10/2019	027	\$1.16 955613
WVC 12/09	COMM	WVC-00000548061A / 001	D	12/09/2019	036	\$5.70 955613
WVC 12/02	EL11	WVC-00000535695Y / 001	D	12/02/2019	037	\$31.36 955613
WVC 12/02	COMM	WVC-00000535695A / 001	D	12/02/2019	035	\$5.00 955613
WVC 12/02	COMM	WVC-00000535695B / 001	D	12/02/2019	035	\$50.08 955613
PAGE : 0004						\$20.99 955613

PF2=DISPLAY TRANSACTIONS PF7=PG/UP PF8=PG/DN *PF9=CLEAR SCREEN* PF10=EXIT

9:49:46 Monday, April 20, 2020

TFMITRAN
LOC: WVC

OFFENDER TRUST SYSTEM
TRANSACTION HISTORY INQUIRY

04/20/20 9:49:32
USER: WVCH08

OFFENDER NO 955613 NAME: TWITTY SHAWN R
FROM DATE: 10 / 20 / 2019 TO DATE: 04 / 20 / 2020 STATUS: AC HSE UNIT: MU

DOCMT NUMBER	TRAN CODE	DESCRIPTION	ENDING BALANCE (END OF MONTH)=			ACCOUNT NUMBER
			TRAN TYPE	POST DATE	BATCH NO.	
5817749793	ELEC	Twitty, Airrion	C	11/26/2019	056	\$162.57
PK	SAVD	RE-ENTRY ACCOUNT DEDUCT	D	11/19/2019	052	\$20.00 955613
PK	SP10		C	11/19/2019	051	\$9.85 955613
WVC 11/11	COMM	WVC-00000507060B / 001	D	11/11/2019	003	\$65.68 955613
0234440037	ELEC	Twitty, Airrion	C	11/10/2019	001	\$13.16 955613
3156798751	ELEC	Edmonds, Alfredest	C	11/01/2019	023	\$10.00 955613
5992438118	ELEC	Bigbee, Rasheda	C	10/30/2019	033	\$10.00 955613
WVC 10/28	COMF	FF-0000000481822 / 001	D	10/28/2019	027	\$25.00 955613
WVC 10/21	COMF	FF-0000000469097 / 001	D	10/21/2019	030	\$20.00 955613
						\$32.00 955613

PAGE : 0005

PF2=DISPLAY TRANSACTIONS PF7=PG/UP PF8=PG/DN *PF9=CLEAR SCREEN* PF10=EXIT