

No.

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IN THE  
SUPREME COURT OF THE UNITED STATES

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Shawn M. Twitty, Petitioner

VS.

State of Indiana, Respondent

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

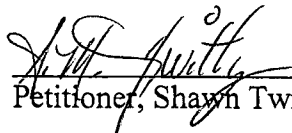
The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

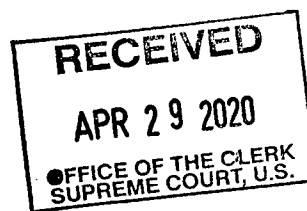
[ X ] Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

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<br>the past 12 months |          | Amount expected<br>next month |          |
|--|---|----------|-------------------------------|----------|
|  | You   | Spouse   | You                           | Spouse   |
| Employment   | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Self-employment  | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Income from real property<br>(such as rental income)                       | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Interest and dividends   | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Gifts  | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Alimony  | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Child Support  | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Retirement (such as social<br>security, pensions,<br>annuities, insurance) | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Disability (such as social<br>security, insurance payments)                | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Unemployment payments  | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Public-assistance<br>(such as welfare)                                     | \$ _____  | \$ _____ | \$ _____                      | \$ _____ |
| Other (specify): <u>FAMILY<sup>1</sup></u>                                 | \$ _____  | \$ _____ | \$ <u>???</u>                 | \$ _____ |

<sup>1</sup> 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 |
|--------------------|---------|----------|-------------------|
| Aramark Food Serv. | WVCF    |          | \$ 60.00          |
|                    |         |          | \$                |
|                    |         |          | \$                |

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 | Gross monthly pay |
|----------|---------|----------|-------------------|
|          |         |          | \$                |
|          |         |          | \$                |
|          |         |          | \$                |

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.

☐ Home  
Value N/A

☐ Other real estate  
Value

☐ Motor Vehicle #1  
Year, make & model N/A

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

☐ Other assets  
Description NONE  
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.

| <b>Name</b> | <b>Relationship</b> | <b>Age</b> |
|-------------|---------------------|------------|
| _____       | _____               | _____      |
| _____       | _____               | _____      |
| _____       | _____               | _____      |

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.

|   | <b>You</b> | <b>Your Spouse</b> |
|---|------------|--------------------|
| Rent or home-mortgage payment<br>(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,<br>Water, sewer, and telephone)                               | \$ _____   | \$ _____           |
| Home maintenance (repairs and upkeep)   | \$ _____   | \$ _____           |
| Food  | \$ _____   | \$ _____           |
| Clothing  | \$ _____   | \$ _____           |
| Laundry and dry-cleaning  | \$ _____   | \$ _____           |
| Medical and dental expenses   | \$ _____   | \$ _____           |

|  | <b>You</b> | <b>Your spouse</b> |
|--|------------|--------------------|
| 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,<br>Or farm (attach detailed statement) | \$ _____ | \$ _____ |
|--|----------|----------|

|                                 |                 |          |
|---------------------------------|-----------------|----------|
| Other (specify): <u>Hygiene</u> | \$ <u>20.00</u> | \$ _____ |
|---------------------------------|-----------------|----------|

|                                    |                 |          |
|------------------------------------|-----------------|----------|
| Other (specify): <u>Commissary</u> | \$ <u>30.00</u> | \$ _____ |
|------------------------------------|-----------------|----------|

|                                |          |          |
|--------------------------------|----------|----------|
| <b>Total monthly expenses:</b> | \$ _____ | \$ _____ |
|--------------------------------|----------|----------|

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<br>NUMBER                | TRAN<br>CODE | DESCRIPTION             | TRAN<br>TYPE | POST<br>DATE | BATCH<br>NO. | TRAN<br>AMOUNT | ACCOUNT<br>NUMBER |
|--------------------------------|--------------|-------------------------|--------------|--------------|--------------|----------------|-------------------|
| ENDING BALANCE (END OF MONTH)= |              |                         |              |              |              | \$162.57       |                   |
| 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            |

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

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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

| DOCMT<br>NUMBER | TRAN<br>CODE | DESCRIPTION             | TRAN<br>TYPE | POST<br>DATE | BATCH<br>NO. | ENDING BALANCE (END OF MONTH)=<br>TRAN AMOUNT | ACCOUNT<br>NUMBER |
|-----------------|--------------|-------------------------|--------------|--------------|--------------|---|-------------------|
| =====           |              |                         |              |              |              |   |                   |
| WVC 01/20       | COMM         | WVC-00000613709A / 001  | D            | 01/20/2020   | 004          | \$162.57                                      |                   |
| WVC 01/20       | COMM         | WVC-00000613709B / 001  | D            | 01/20/2020   | 004          | \$45.28                                       | 955613            |
| PK              | SAVD         | RE-ENTRY ACCOUNT DEDUCT | D            | 01/15/2020   | 047          | \$7.02  | 955613            |
| PK              | SP12         |                         | C            | 01/15/2020   | 046          | \$6.57  | 955613            |
| 6036372769      | ELEC         | Bigbee, Rasheda         | C            | 01/15/2020   | 046          | \$43.81                                       | 955613            |
| WVC 01/06       | EL11         | WVC-00000585746Y / 001  | D            | 01/12/2020   | 001          | \$15.00                                       | 955613            |
| WVC 01/06       | COMM         | WVC-00000585746C / 001  | D            | 01/06/2020   | 024          | \$5.00  | 955613            |
| WVC 01/06       | COMM         | WVC-00000585746A / 001  | D            | 01/06/2020   | 022          | \$25.67                                       | 955613            |
| WVC 12/23       | COMM         | WVC-00000569249A / 001  | D            | 01/06/2020   | 022          | \$5.32  | 955613            |
| WVC 12/23       | COMM         | WVC-00000569249B / 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<br>NUMBER | TRAN<br>CODE | DESCRIPTION             | TRAN<br>TYPE | POST<br>DATE | BATCH<br>NO. | ENDING BALANCE (END OF MONTH)=<br>TRAN AMOUNT | ACCOUNT<br>NUMBER |
|-----------------|--------------|-------------------------|--------------|--------------|--------------|---|-------------------|
|                 |              |                         |              |              |              | \$162.57                                      |                   |
| HOLIDAYGIF      | ADJC         |                         | C            | 12/19/2019   | 008          | \$3.00  | 955613            |
| PK              | SAVD         | RE-ENTRY ACCOUNT DEDUCT | D            | 12/17/2019   | 047          | \$10.11                                       | 955613            |
| PK              | SP11         |                         | C            | 12/17/2019   | 046          | \$67.43                                       | 955613            |
| 3888720161      | ELEC         | Edmonds, Alfredest      | C            | 12/16/2019   | 025          | \$40.00                                       | 955613            |
| 665021          | ISRV         | POSTAGE                 | D            | 12/12/2019   | 016          | \$1.16  | 955613            |
| 665023          | ISRV         | REC COPY                | D            | 12/10/2019   | 027          | \$5.70  | 955613            |
| WVC 12/09       | COMM         | WVC-00000548061A / 001  | D            | 12/09/2019   | 036          | \$31.36                                       | 955613            |
| WVC 12/02       | EL11         | WVC-00000535695Y / 001  | D            | 12/02/2019   | 037          | \$5.00  | 955613            |
| WVC 12/02       | COMM         | WVC-00000535695A / 001  | D            | 12/02/2019   | 035          | \$50.08                                       | 955613            |
| WVC 12/02       | COMM         | WVC-00000535695B / 001  | D            | 12/02/2019   | 035          | \$20.99                                       | 955613            |

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9:49:46 Monday, April 20, 2020

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

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