

19-8476

ORIGINAL

Supreme Court, U.S.
FILED

APR 06 2020

OFFICE OF THE CLERK

In the
Supreme Court of the United States

Robert Roland Yerton, Jr. - Petitioner

VS.

Oklahoma Court of Criminal Appeals - Respondent

Motion for leave to proceed In Forma Pauperis

Petitioner asks leave to file the attached petition for a writ of certiorari without payment of costs and to proceed in forma pauperis.

Petitioner has previously been granted leave to proceed in forma pauperis in the following courts: Oklahoma Court of Criminal Appeals, U.S. District Court for the Northern Dist. of Okla., U.S. 10th Cir. Court, and this Court (18-7322).

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Robert Roland Yerton, Jr.

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




I, Robert R. Yerton, 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>0</u>	\$ <u>Divorced</u> <u>11-10-2014</u>	\$ <u>0</u>	\$ _____
Self-employment	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Income from real property (such as rental income)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Interest and dividends	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Gifts	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Alimony	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Child Support	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Unemployment payments	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Public-assistance (such as welfare)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Other (specify): _____	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Total monthly income:	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>

- | Employer | Address | Dates of Employment | Gross monthly pay |
|--------------|---------|---------------------|-------------------|
| incarcerated | | | |
| | | | |
| | | | |
| | | | |

- Employer** divorced
Address /
Dates of Employment /
Gross monthly pay \$ /

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

- ☐ 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

\$ _____
\$ _____
\$ _____

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

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.

Rent or home-mortgage payment
(include lot rented for mobile home)

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

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u> — </u>	\$ <u> — </u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u> — </u>	\$ <u> — </u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u> — </u>	\$ <u> — </u>
Life	\$ <u> — </u>	\$ <u> — </u>
Health	\$ <u> — </u>	\$ <u> — </u>
Motor Vehicle	\$ <u> — </u>	\$ <u> — </u>
Other: _____	\$ <u> — </u>	\$ <u> — </u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u> — </u>	\$ <u> — </u>
Installment payments		
Motor Vehicle	\$ <u> — </u>	\$ <u> — </u>
Credit card(s)	\$ <u> — </u>	\$ <u> — </u>
Department store(s)	\$ <u> — </u>	\$ <u> — </u>
Other: _____	\$ <u> — </u>	\$ <u> — </u>
Alimony, maintenance, and support paid to others	\$ <u> — </u>	\$ <u> — </u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u> — </u>	\$ <u> — </u>
Other (specify): _____	\$ <u> — </u>	\$ <u> — </u>
Total monthly expenses:	\$ <u> 0 </u>	\$ <u> — </u>

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.

incarcerated since 9-1-2012

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

Executed on: December 14, 2018

reaffirmed February 25, 2019
reaffirmed April 30, 2020

Robert R. Yerton Jr.
(Signature)