

No. 19-8606

ORIGINAL

Supreme Court, U.S.
FILED

MAY 21 2020

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

ROBERT D THORSON — PETITIONER
(Your Name)

VS.

THE UNITED STATES — RESPONDENT(S)

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*.

Please check the appropriate boxes:

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

THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

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's affidavit or declaration is not attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: _____, or

a copy of the order of appointment is appended.

Robert D. Thorson
(Signature)

RECEIVED

JUN 3 - 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, ROBERT THORSON, 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>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Self-employment	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Interest and dividends	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Gifts	\$ <u>300⁰⁰</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Alimony	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Child Support	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Unemployment payments	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Other (specify): _____	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </u>
Total monthly income:	\$ <u>300⁰⁰</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</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
¶			\$
¶			\$
¶			\$

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
¶			\$
¶			\$
¶			\$

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 N/A

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

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

Other assets
Description N/A
Value N/A

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money

Q
Q
Q

Amount owed to you

\$ _____
\$ _____
\$ _____

Amount owed to your spouse

\$ _____
\$ _____
\$ _____

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

Name

Q
S
X

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)

\$ NA

\$ NA

Are real estate taxes included? Yes No
Is property insurance included? Yes No

Utilities (electricity, heating fuel,
water, sewer, and telephone)

\$ NA

\$ NA

Home maintenance (repairs and upkeep)

\$ NA

\$ NA

Food

\$ NA

\$ NA

Clothing

\$ NA

\$ NA

Laundry and dry-cleaning

\$ NA

\$ NA

Medical and dental expenses

\$ NA

\$ NA

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>8</u>	\$ <u>NA</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>8</u>	\$ <u>1</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>8</u>	\$ <u>1</u>
Life	\$ <u>8</u>	\$ <u>1</u>
Health	\$ <u>8</u>	\$ <u>1</u>
Motor Vehicle	\$ <u>8</u>	\$ <u>1</u>
Other: _____	\$ <u>8</u>	\$ <u>1</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>17</u>	\$ <u>1</u>
Installment payments		
Motor Vehicle	\$ <u>8</u>	\$ <u>1</u>
Credit card(s)	\$ <u>8</u>	\$ <u>1</u>
Department store(s)	\$ <u>8</u>	\$ <u>1</u>
Other: _____	\$ <u>8</u>	\$ <u>1</u>
Alimony, maintenance, and support paid to others	\$ <u>8</u>	\$ <u>1</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>8</u>	\$ <u>1</u>
Other (specify): _____	\$ <u>8</u>	\$ <u>1</u>
Total monthly expenses:	\$ <u>8</u>	\$ <u>NA</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.

I AM WRONGFULLY CONVICTED AND IN PRISON FOR CHARGES
I AM ACTUALLY INNOCENT OF.

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

Executed on: MAY 20, 2020

Robert J. Johnson
(Signature)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

In Re ROBERT THORSON, and
similarly situated individuals,

Petitioner,

v.

Case No. 3:18-CV-01866-AC

ORDER TO PROCEED
IN FORMA PAUPERIS

UNITED STATES OF AMERICA,

Respondent.

MOSMAN, Chief Judge.

Petitioner moves to proceed *in forma pauperis* (ECF No. 1). An examination of the application reveals that petitioner is unable to afford the costs of this action. Accordingly, IT IS ORDERED that the provisional *in forma pauperis* status given the petitioner is confirmed. The petition may go forward without the payment of fees or costs.

IT IS SO ORDERED.

DATED this 1 day of ^{Feb} January, 2019.


Michael W. Mosman
United States Chief District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT THORSON, et al.,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

HERNÁNDEZ, J.

Case No. 3:19-cv-01654-YY

ORDER TO PROCEED
IN FORMA PAUPERIS
AND TO COLLECT INMATE
FILING FEE

Plaintiff Robert Thorson, an inmate at FCI Sheridan, moves to proceed *in forma pauperis* (ECF No. 8). An examination of the application reveals that Plaintiff Robert Thorson is unable to afford the fees of this action. Accordingly, the Court GRANTS Plaintiff Robert Thorson's Application to Proceed *In Forma Pauperis*. However, the Clerk of the Court shall not issue process until further order from the court.

Pursuant to 28 U.S.C. § 1915(b)(1), a prisoner proceeding *in forma pauperis* is required to pay the full filing fee of \$350.00 when funds exist. Plaintiff Robert Thorson has authorized the

1 - ORDER TO PROCEED IN FORMA PAUPERIS AND TO COLLECT INMATE FILING FEE

agency having custody of him to collect the filing fee from his prison trust account when funds exist. However, Plaintiff Robert Thorson has been without funds for the six months immediately preceding the filing of his complaint. Accordingly, the Court shall not assess an initial partial filing fee. 28 U.S.C. § 1915(b)(2). When funds exist, Plaintiff Robert Thorson shall be obligated to make monthly payments of 20 percent of the preceding month's income credited to Plaintiff Robert Thorson's trust account. These payments shall be collected and forwarded by the agency having custody of Plaintiff Robert Thorson to the Clerk of the Court each time the amount in Plaintiff Robert Thorson's trust account exceeds \$10.00, until the filing fee is paid in full. *Id.*

CONCLUSION

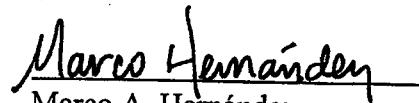
Plaintiff Robert Thorson's application to proceed *in forma pauperis* (ECF No. 8) is GRANTED.

IT IS ORDERED that the Warden at FCI Sheridan or his designee shall collect payments from Plaintiff Robert Thorson's prison trust account and shall forward those payments to the Clerk of the Court in accordance with the formula set forth above until a total of \$350.00 has been collected and forwarded to the Clerk of the Court. The payments shall be clearly identified by the name and number assigned to this action.

The Clerk of the Court is directed to send a copy of this order to Warden, FCI Sheridan, Federal Correctional Institution, P.O. Box 8000, Sheridan, OR 97378.

IT IS SO ORDERED.

DATED this 12 day of January, 2020.


Marco A. Hernández
Chief United States District Judge