

20-5129  
No. \_\_\_\_\_

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 2020

DAVID AZIEL SHEER,

Petitioner,

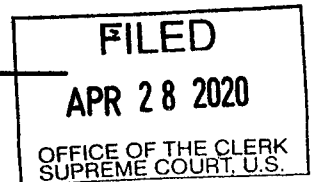
v.

PATRICK WARREN,

Respondent.

ORIGINAL

MOTION FOR LEAVE TO PROCEED  
IN FORMA PAUPERIS



The Petitioner, David Aziel Sheer asks leave to file his Petition for Writ of Certiorari to the United States Court of Appeals for the Sixth Circuit without prepayment of cost and to proceed in forma pauperis, pursuant to Supreme Court Rule 39.1

The Petitioner filed a petition for Writ of Habeas corpus under the Antiterrorism and Effective Death Penalty Act (AEDPA) of 1996 in the U.S. District Court On January 4, 2017, the U.S. District Court Judge George Steeh issued a order to proceed in Forma Pauperis pursuant to 28 U.S.C. § 1915.

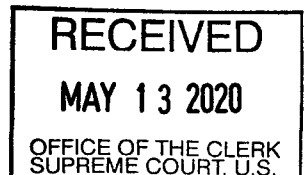
Respectfully submitted,

PETITIONER/APPELLANT

David Aziel Sheer 4/28/2020

DAVID AZIEL SHEER  
Gus Harrison Correctional Facility  
2727 East Beecher Street  
Adrian, Michigan 49221

Date: April 28th, 2020

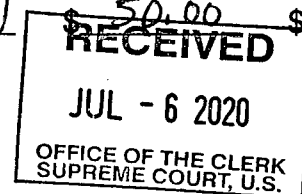


**AFFIDAVIT OR DECLARATION  
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, David SHEER, 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>18.00</u> <sup>PER month</sup>	\$ <u>N/A</u>	\$ <u>18.00</u>	\$ <u>N/A</u>
Self-employment	\$ <u>      </u>	\$ <u>N/A</u>	\$ <u>      </u>	\$ <u>      </u>
Income from real property (such as rental income)	\$ <u>      </u>	\$ <u>N/A</u>	\$ <u>      </u>	\$ <u>      </u>
Interest and dividends	\$ <u>      </u>	\$ <u>N/A</u>	\$ <u>      </u>	\$ <u>      </u>
Gifts	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>
Alimony	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>
Child Support	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>
Disability (such as social security, insurance payments)	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>
Unemployment payments	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>
Public-assistance (such as welfare)	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>
Other (specify): <u>MONEY GIVEN By SISTER</u>	\$ <u>30.00</u> <sup>PER month</sup>	\$ <u>      </u>	\$ <u>30.00</u>	\$ <u>      </u>
<b>Total monthly income:</b>	\$ <u>50.00</u> <sup>PER month</sup>	\$ <u>      </u>	\$ <u>50.00</u>	\$ <u>      </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
<u>Mich Dep Corr</u>	_____	_____	\$ <u>26.00</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 Employment	Gross monthly pay
<u>N/A</u>	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ N/A  
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
<u>N/A</u>	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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 \_\_\_\_\_

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

N/A

\$ N/A

\$ N/A

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**

N/A

N/A

N/A

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**

N/A

**Your spouse**

N/A

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

	You <i>N/A</i>	Your spouse <i>N/A</i>
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): <u>Food</u>	\$ _____	\$ _____
<b>Total monthly expenses:</b>	\$ <u>✓</u>	\$ <u>✓</u>

*50.00 per month*

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.

N/A

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? N/A

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? N/A

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 WAS CHARGED WITH THIS CASE AND CHARGED \$4,492.50, \$533.35, AND \$1,053.00 IN OBLIGATIONS FOR COURT CHARGES AND RESTITUTION ANY AMOUNT OVER \$50.00 IN MY ACCOUNT IS FORFEIT.

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

Executed on: JUNE 6<sup>th</sup>, 2020

David Sheu  
(Signature)