

20-5141

No. \_\_\_\_\_

ORIGINAL

Supreme Court, U.S.  
FILED

JUL 18 2020

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Daniel Harold Williford — PETITIONER

(Your Name)

VS.

United States of America — 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):

District Court for the Western District of North Carolina (Charlotte Division) - ORAL ORDER APPOINTING

COMMUNITY DEFENDER PETER ADOLF as to Daniel Harold Williford by Magistrate Judge David S. Cayer on 1/6/14.

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.



(Signature)

RECEIVED

JUL 22 2020

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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

I, Daniel Harold Williford, 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.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
Employment	\$ 0	\$ 0	\$ 0	\$ 0
Self-employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 175	\$ 200	\$ 175	\$ 200
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 1,571	\$ 642	\$ 1,571	\$ 642
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify): <u>N/A</u>	\$ 0	\$ 0	\$ 0	\$ 0
<b>Total monthly income:</b>	<b>\$ 1,746</b>	<b>\$ 842</b>	<b>\$ 1,746</b>	<b>\$ 842</b>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
FCI Bennettsville	Bennettsville, SC 29512	11/2018 - 05/2020	\$ 58
			\$
			\$
			\$

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.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
Unemployed	N/A	N/A	\$ 0
			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 600

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

<b>Type of account (e.g., checking or savings)</b>	<b>Amount you have</b>	<b>Amount your spouse has</b>
Checking	\$ 100	\$ 154
	\$	\$
	\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home  
Value \_\_\_\_\_

Other real estate  
Value \_\_\_\_\_

Motor Vehicle #1  
Year, make & model 2013, Toyota RAV4  
Value \$9,650

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.

<b>Person owing you or your spouse money</b>	<b>Amount owed to you</b>	<b>Amount owed to your spouse</b>
N/A	\$ 0	\$ 0
	\$	\$
	\$	\$

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").

<b>Name</b>	<b>Relationship</b>	<b>Age</b>
No one relies on us for support	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.

	<b>You</b>	<b>Your spouse</b>
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 800	\$ 0
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$ 153
Home maintenance (repairs and upkeep)	\$ 0	\$ 0
Food	\$ 715	\$ 0
Clothing	\$ 50	\$ 85
Laundry and dry-cleaning	\$ 0	\$ 0
Medical and dental expenses	\$ 116	\$ 123

	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ 0	\$ 160
Recreation, entertainment, newspapers, magazines, etc.	\$ 60	\$ 0
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ 0
Life	\$ 0	\$ 0
Health	\$ 0	\$ 179
Motor Vehicle	\$ 0	\$ 0
Other: <u>N/A</u>	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>NC Department of Revenue</u>	\$ 0	\$ 80
Installment payments		
Motor Vehicle	\$ 0	\$ 0
Credit card(s)	\$ 0	\$ 0
Department store(s)	\$ 0	\$ 0
Other: <u>N/A</u>	\$ 0	\$ 0
Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0
Other (specify): <u>Court ordered Restitution</u>	\$ 50	\$ 0
<b>Total monthly expenses:</b>	<b>\$ 1,741</b>	<b>\$ 830</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? \_\_\_\_\_ N/A

If yes, state the attorney's name, address, and telephone number:    N/A

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:    N/A

12. Provide any other information that will help explain why you cannot pay the costs of this case.

Just sent to home confinement from federal prison. No assets and owe over \$17.1 million in restitution. My wife has been unable to find a job despite looking for over a year.

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

Executed on: July 18, 2020

  
(Signature)

**Daniel Harold Williford**

Affidavit or Declaration in Support of Motion for Leave to Proceed *IN FORMA*

**PAUPERIS**

**Question 9. Detail**

Expected major change to my monthly income and expenses during the next 12 months:

Income: Expect income to increase by approximately \$1,100 to \$1,800 a month once I am employed.

Expenses: Expect our expenses to increase as follows in conjunction with employment:

Increase:

Auto Insurance: +\$125 a month (currently paid by my son for us)

Health Insurance: +\$200 a month (increase due to increased income)

Auto Payment: +\$300 a month (son paid for our car and the agreement to begin repaying him once we have the income).

Life Insurance (term): \$175/month

Income Tax Liability: \$150/month

Total increase in expenses: \$950 per month plus savings:

Savings - Need to start saving again at the rate of \$300 to \$600 per month build up an emergency fund and for the longer term.