

20-5172

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

ORIGINAL

Supreme Court, U.S.  
FILED

JUL 14 2020

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Darrell Henry Williams — PETITIONER  
(Your Name)

VS.

USP

Joe Coakley, Warden Hazelton 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):

U.S. Court of Appeals, Fourth Circuit, No. 19737

☐ 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.

X Daniel Wilson  
(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, Darrell Williams, 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>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Gifts	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child Support	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<b>Total monthly income:</b>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</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
N/A	N/A	N/A	\$ N/A

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
N/A	N/A	N/A	\$ N/A

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.

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

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

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.

You

Your spouse

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

\$ N/A

\$ N/A

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

\$ N/A

\$ N/A

Home maintenance (repairs and upkeep)

\$ N/A

\$ N/A

Food

\$ N/A

\$ N/A

Clothing

\$ N/A

\$ N/A

Laundry and dry-cleaning

\$ N/A

\$ N/A

Medical and dental expenses

\$ N/A

\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>N/A</u>	\$ <u>N/A</u>
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): _____	\$ _____	\$ _____
<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? 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.

NO FURTHER

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

Executed on X July 10<sup>th</sup>, 2020  
DATE

X [Signature]  
(Signature)

<b>Court of Appeals Docket #: 19-7737</b> <b>Nature of Suit: 2530 Habeas Corpus</b> Darrell Williams v. Joe Coakley <b>Appeal From: United States District Court for the Northern District of West Virginia at Wheeling</b> <b>Fee Status: in forma pauperis</b>		<b>Docketed: 11/22/2019</b> <b>Termed: 04/17/2020</b>								
<b>Case Type Information:</b> 1) Habeas Corpus-Federal 2) federal 3) null										
<b>Originating Court Information:</b> <b>District: 0424-5 : 5:18-cv-00046-FPS</b> <b>Presiding Judge: Frederick P. Stamp, Jr., Senior U. S. District Court Judge</b> <b>Date Filed: 03/26/2018</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;"><b>Date Order/Judgment:</b></td> <td style="width: 25%;"><b>Date Order/Judgment EOD:</b></td> <td style="width: 25%;"><b>Date NOA Filed:</b></td> <td style="width: 25%;"><b>Date Rec'd COA:</b></td> </tr> <tr> <td>10/29/2019</td> <td>10/29/2019</td> <td>11/21/2019</td> <td>11/21/2019</td> </tr> </table>			<b>Date Order/Judgment:</b>	<b>Date Order/Judgment EOD:</b>	<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>	10/29/2019	10/29/2019	11/21/2019	11/21/2019
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10/29/2019	10/29/2019	11/21/2019	11/21/2019							

11/22/2019	<u>3</u>	INFORMAL BRIEFING ORDER filed. Mailed to: Darrell Henry Williams. Informal Opening Brief due 12/16/2019 Informal response brief, if any: 14 days after informal opening brief served. [19-7737] JR [Entered: 11/22/2019 09:09 AM]
11/22/2019	4	ASSEMBLED ELECTRONIC RECORD docketed. Originating case number: 5:18-cv-00046-FPS. Record in folder? Yes. Record reviewed? Yes. PSR included? N/A. [19-7737] JR [Entered: 11/22/2019 10:00 AM]
01/06/2020	<u>5</u>	RULE 45 NOTICE issued to Darrell Henry Williams re: failure to satisfy fee and informal briefing requirements. Case will be dismissed if default is not cured within 15 days. Mailed to: Darrell Henry Williams. [19-7737] JR [Entered: 01/06/2020 12:51 PM]
01/06/2020	6	IFP-APPLICATION to proceed in forma pauperis (FRAP 24)(court access only) by Darrell Henry Williams. [19-7737] JR [Entered: 01/06/2020 04:00 PM]
01/13/2020	<u>7</u>	INFORMAL OPENING BRIEF by Darrell Henry Williams. [19-7737] JR [Entered: 01/14/2020 10:57 AM]
02/13/2020	<u>8</u>	Letter re: status of case by Darrell Henry Williams. [1000683022] [19-7737] JR [Entered: 02/13/2020 03:13 PM]
02/14/2020	<u>9</u>	Notice issued re: [8] letter. [19-7737] TO [Entered: 02/14/2020 08:00 AM]
04/17/2020	<u>10</u>	UNPUBLISHED PER CURIAM OPINION filed. Originating case number: 5:18-cv-00046-FPS. Copies to all parties and the district court. [1000723282]. Mailed to: Darrell Henry Williams. [19-7737] JR [Entered: 04/17/2020 09:35 AM]
04/17/2020	<u>11</u>	JUDGMENT ORDER filed. Decision: Affirmed. Originating case number: 5:18-cv-00046-FPS. Entered on Docket Date: 04/17/2020. [1000723289] Copies to all parties and the district court. Mailed to: Darrell Henry Williams. [19-7737] JR [Entered: 04/17/2020 09:37 AM]
06/09/2020	<u>12</u>	Mandate issued. Referencing: [10] unpublished per curiam Opinion , [11] Judgment Order. Originating case number: 5:18-cv-00046-FPS. Mailed to: Darrell Henry Williams. [19-7737] JR [Entered: 06/09/2020 08:30 AM]