

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

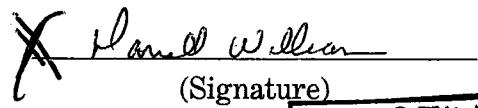
Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

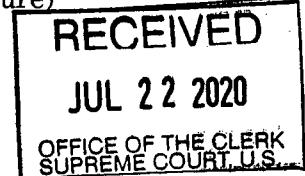
Petitioner's affidavit or declaration in support of this motion is attached hereto.

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.


(Signature)



**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/p</u>	\$ <u>n/p</u>	\$ <u>n/a</u>	\$ <u>n/n</u>
Income from real property (such as rental income)	\$ <u>n/p</u>	\$ <u>n/a</u>	\$ <u>n/p</u>	\$ <u>n/p</u>
Interest and dividends	\$ <u>n/p</u>	\$ <u>n/p</u>	\$ <u>n/p</u>	\$ <u>n/p</u>
Gifts	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/n</u>
Alimony	\$ <u>n/p</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/p</u>
Child Support	\$ <u>n/p</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/p</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>n/a</u>	\$ <u>n/p</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/c</u>	\$ <u>n/a</u>
Unemployment payments	\$ <u>n/p</u>	\$ <u>n/p</u>	\$ <u>n/p</u>	\$ <u>n/p</u>
Public-assistance (such as welfare)	\$ <u>n/a</u>	\$ <u>n/p</u>	\$ <u>n/n</u>	\$ <u>n/p</u>
Other (specify): _____	\$ <u>n/a</u>	\$ <u>n/p</u>	\$ <u>n/p</u>	\$ <u>n/p</u>
Total monthly income:	\$ <u>n/p</u>	\$ <u>n/p</u>	\$ <u>n/p</u>	\$ <u>n/p</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
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
	\$ <u>N/A</u>	\$ <u>N/A</u>
	\$ <u>N/A</u>	\$ <u>N/A</u>

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
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
	<u>N/A</u>	<u>N/A</u>
	<u>N/A</u>	<u>N/A</u>

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)	\$ <u>N/A</u>	\$ <u>N/A</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>N/P</u>	\$ <u>N/P</u>
Home maintenance (repairs and upkeep)	\$ <u>N/P</u>	\$ <u>N/P</u>
Food	\$ <u>N/P</u>	\$ <u>N/P</u>
Clothing	\$ <u>N/P</u>	\$ <u>N/P</u>
Laundry and dry-cleaning	\$ <u>N/P</u>	\$ <u>N/P</u>
Medical and dental expenses	\$ <u>N/P</u>	\$ <u>N/A</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>110</u>	\$ <u>110</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> </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? 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 FUND

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

Executed on July 10th, 2020
DATE

X Donald Wile
(Signature)

Court of Appeals Docket #: 19-7737

Docketed: 11/22/2019

Nature of Suit: 2530 Habeas Corpus

Termed: 04/17/2020

Darrell Williams v. Joe Coakley

Appeal From: United States District Court for the Northern District of West Virginia at Wheeling

Fee Status: in forma pauperis

Case Type Information:

- 1) Habeas Corpus-Federal
- 2) federal
- 3) null

Originating Court Information:

District: 0424-5 : 5:18-cv-00046-FPS

Presiding Judge: Frederick P. Stamp, Jr., Senior U. S. District Court Judge

Date Filed: 03/26/2018

Date Order/Judgment:

10/29/2019

Date Order/Judgment EOD:

10/29/2019

Date NOA Filed:

11/21/2019

Date Rec'd COA:

11/21/2019

11/22/2019 3 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 5 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 7 INFORMAL OPENING BRIEF by Darrell Henry Williams. [19-7737] JR [Entered: 01/14/2020 10:57 AM]

02/13/2020 8 Letter re: status of case by Darrell Henry Williams. [1000683022] [19-7737] JR [Entered: 02/13/2020 03:13 PM]

02/14/2020 9 Notice issued re: [8] letter. [19-7737] TO [Entered: 02/14/2020 08:00 AM]

04/17/2020 10 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 11 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 12 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]