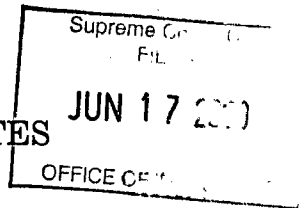


20-5194
No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



IN RE: Kevin Deweyne Moore PETITIONER
(Your Name)

VS.

USA, et al — 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):

USDC, Northern District of Texas, Dallas Division; USCA
for the Fifth Circuit; U.S. Supreme Court

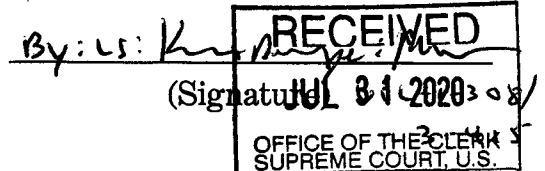
☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ 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.



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

I, Kevin Moore, 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 ⁶ months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 47.63	\$ N/A	\$ <input checked="" type="checkbox"/>	\$ N/A
Self-employment	\$ <input checked="" type="checkbox"/>	\$	\$	\$
Income from real property (such as rental income)	\$ <input checked="" type="checkbox"/>	\$	\$	\$
Interest and dividends	\$ <input checked="" type="checkbox"/>	\$	\$	\$
Gifts	ONE TIME \$ 150	\$	\$ <input checked="" type="checkbox"/>	\$
Alimony	\$ <input checked="" type="checkbox"/>	\$	\$	\$
Child Support	\$ <input checked="" type="checkbox"/>	\$	\$	\$
Retirement (such as social security, pensions, annuities, insurance)	\$ <input checked="" type="checkbox"/>	\$	\$	\$
Disability (such as social security, insurance payments)	\$ <input checked="" type="checkbox"/>	\$	\$	\$
Unemployment payments	\$ <input checked="" type="checkbox"/>	\$	\$	\$
Public-assistance (such as welfare)	\$ <input checked="" type="checkbox"/>	\$	\$	\$
Other (specify):	\$ <input checked="" type="checkbox"/>	\$	\$	\$
Total monthly income:	\$ 47.63	\$	\$ <input checked="" type="checkbox"/>	\$

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
FBI	P.O. Box 8000 Sextonville, TX 75155	2015 6-15-20	\$ VARIOUS \$ MONTH TO \$ MONTH

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? \$ 639.15, PLEASE NOTE: 627.82 PRE-RELEASE ACCOUNT
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
FBI - INVESTMENT	\$ 639.15	\$ N/A
	\$	\$
	\$	\$

① PLEASE NOTE THAT \$627.82 IS MY PRE-RELEASE ACCOUNT.

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 N/A
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

_____	\$ _____	\$ _____
<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>
_____	_____	_____

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 \$ _____

Home maintenance (repairs and upkeep)

\$ _____

Food

\$ 10-15 \$ _____

Clothing

\$ N/A \$ _____

Laundry and dry-cleaning

\$ N/A \$ _____

Medical and dental expenses

\$ 2-6 \$ _____

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.

THIS INSTITUTION - FCI SEABOARD, IS NOW FULL LOCKDOWN,
QUARANTINE - COVID 19. HAVE NOT WORKED SINCE MARCH
OF JUNE 2020. DO NOT KNOW WHEN I WILL BE BACK TO WORK

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.

I AM SAVING MONEY FOR MY EVENTUAL RELEASE, SO I WILL - HOPEFULLY, NOT
HAVE TO DEPEND ON ANYONE. THERE WERE 2 DEPOSITS THAT WERE SENT
TO ME, BY A FRIEND, BY MISTAKE. I IMMEDIATELY RETURNED
THAT \$390.00. SEE ① AND ② ON TRUST FUND SHEET. SEE #9.

I declare under penalty of perjury that the foregoing is true and correct. 28 USC § 1746

Executed on: July 22, 2020

By: LS: Kevin Dwyer: Mun
(Signature) UCL-1-308/
3-415

	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): _____	\$ _____	\$ _____
Total monthly expenses:	\$ <u>10-21</u>	\$ _____

Inmate Statement



Inmate Reg #: 36285177
 Inmate Name: MOORE, KEVIN
 Report Date: 06/05/2020
 Report Time: 2:43:40 PM

Current Institution: Seagoville FCI
 Housing Unit: SEA-B-A
 Living Quarters: B01-124U

<u>Alpha</u>						<u>Transaction</u>	<u>Encumbrance</u>	
<u>Code</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Amount</u>	<u>Amount</u>	<u>Ending Balance</u>
SEA	6/1/2020 1:31:07 PM	VJV013			Photo Copies	(\$2.60)		\$639.15
SEA	6/1/2020 12:10:53 AM	USEAD009 - 2472			Debt Encumbrance - Released		\$10.00	-----
SEA	6/1/2020 12:10:53 AM	USEAD009	1544		PLRA Payment	(\$10.00)		\$641.75
SEA	5/24/2020 3:46:44 PM	TL0524			TRUL Withdrawal	(\$5.00)		\$651.75
SEA	5/20/2020 11:26:03 AM	VICP0520			Inmate Co-pay	(\$2.00)		\$656.75
SEA	5/11/2020 10:44:12 AM		1442		Release Funds	(\$190.00) ②		\$658.75
SEA	5/11/2020 9:57:27 AM	VJV010			Photo Copies	(\$1.04)		\$848.75
SEA	5/11/2020 6:37:33 AM	2			Sales	(\$6.00)		\$849.79
SEA	5/8/2020 10:06:22 AM	VIPP0420			Payroll - IPP	\$11.60		\$855.79
SEA	5/7/2020 12:36:58 PM	TL052020			Pre-Release Transaction		\$5.00	-----
SEA	5/4/2020 7:19:06 PM	TL052020			Pre-Release Transaction		\$200.00	-----
SEA	5/4/2020 1:26:01 PM	VJV010			Photo Copies	(\$2.08)		\$844.19
SEA	5/4/2020 8:12:04 AM				Sales	(\$6.55)		\$846.27
SEA	5/3/2020 5:01:52 AM	70108002			Lockbox - CD	\$200.00 ①		\$852.82
SEA	5/3/2020 5:01:52 AM	USEAD009 - 2472			Debt Encumbrance		(\$10.00)	-----
SEA	5/3/2020 5:01:52 AM	70108002			Pre-Release Transaction		(\$190.00)	-----
SEA	5/1/2020 12:10:46 AM	USEAD009 - 2367			Debt Encumbrance - Released		\$10.00	-----
SEA	5/1/2020 12:10:46 AM	USEAD009			PLRA Payment	\$0.00		\$652.82
SEA	4/29/2020 8:59:51 AM	TL042020			Pre-Release Transaction		(\$16.73)	-----
SEA	4/27/2020 9:04:32 AM	VJV009			Photo Copies	(\$0.52)		\$652.82
SEA	4/27/2020 7:36:45 AM	36			Sales	(\$4.45)		\$653.34
SEA	4/26/2020 8:14:54 AM	TL042020			Pre-Release Transaction		\$5.00	-----
SEA	4/25/2020 2:30:56 PM	TL0425			TRUL Withdrawal	(\$5.00)		\$657.79
SEA	4/25/2020 2:30:45 PM	TL042020			Pre-Release Transaction		\$5.00	-----
SEA	4/23/2020 12:59:13 PM	TL042020			Pre-Release Transaction		\$10.00	-----
SEA	4/21/2020 9:48:12 AM	VJV009			Photo Copies	(\$2.99)		\$662.79
SEA	4/20/2020 8:47:43 AM	29			Sales	(\$11.20)		\$665.78
SEA	4/16/2020 10:25:53 AM	VICP0220-V			Inmate Co-pay	\$2.00		\$676.98
SEA	4/16/2020 6:10:30 AM	TL042020			Pre-Release Transaction		\$10.00	-----
SEA	4/13/2020 8:57:54 AM		1240		Release Funds	(\$200.00) ②		\$674.98
SEA	4/8/2020 9:59:02 AM	TL042020			Pre-Release Transaction		(\$60.00)	-----
SEA		VIPP0320			Payroll - IPP	\$66.69		\$874.98

	4/8/2020 9:00:10 AM							
SEA	4/7/2020 1:03:34 TL042020 PM	Pre-Release Transaction		\$200.00				-----
SEA	4/6/2020 8:56:25 66 AM	Sales	(\$15.05)					\$808.29
SEA	4/5/2020 5:01:42 70106002 AM	Lockbox - CD	\$200.00					\$823.34
SEA	4/5/2020 5:01:42 USEAD009 - AM 2367	Debt Encumbrance		(\$10.00)				-----
SEA	4/5/2020 5:01:42 70106002 AM	Pre-Release Transaction		(\$190.00)				-----
SEA	4/2/2020 7:29:55 11 AM	Sales	(\$12.75)					\$623.34
SEA	4/1/2020 6:02:50 TL042020 AM	Pre-Release Transaction		\$20.00				-----
SEA	4/1/2020 USEAD009 - 12:10:50 AM 2037	Debt Encumbrance - Released		\$10.00				-----
SEA	4/1/2020 USEAD009 12:10:50 AM	PLRA Payment	\$0.00					\$636.09
SEA	3/31/2020 TL032020 1:57:58 PM	Pre-Release Transaction		(\$14.50)				-----
SEA	3/19/2020 60 11:06:40 AM	Sales	(\$11.10)					\$636.09
SEA	3/12/2020 33320072 7:03:25 PM	Western Union	\$150.00					\$647.19
SEA	3/12/2020 33320072 7:03:25 PM	Pre-Release Transaction		(\$150.00)				-----
SEA	3/9/2020 7:43:05 TL032020 PM	Pre-Release Transaction		(\$30.00)				-----
SEA	3/9/2020 6:21:38 VIPP0220 AM	Payroll - IPP	\$60.60					\$497.19
SEA	3/9/2020 6:21:38 USEAD009 - AM 2037	Debt Encumbrance		(\$10.00)				-----
SEA	3/6/2020 9:56:46 TL0306 AM	TRUL Withdrawal	(\$5.00)					\$436.59
SEA	3/1/2020 USEAD009 - 12:10:37 AM 1675	Debt Encumbrance - Released		\$10.00				-----
1 2 3 4								
Total Transactions: 152								
		Totals:	(\$654.67)	\$661.05				

Current Balances

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrance</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Account Balance</u>
SEA	\$11.33	\$627.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$639.15
Totals:	\$11.33	\$627.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$639.15

Other Balances

<u>National 6 Months Deposits</u>	<u>National 6 Months Withdrawals</u>	<u>Natioanl 6 Months Avg Daily Balance</u>	<u>Local Max Balance - Prev 30 Days</u>	<u>Average Balance - Prev 30 Days</u>	<u>Commissary Restriction Start Date</u>	<u>Commissary Restriction End Date</u>
\$1,253.63	\$1,890.85	\$888.47	\$855.79	\$680.62	N/A	N/A

- ① THIS MONEY WAS SENT TO ME BY MISTAKE.
- ② I IMMEDIATELY RETURNED IT, BOTH TIMES.

Inmate Statement



Inmate Reg #: 36285177
 Inmate Name: MOORE, KEVIN
 Report Date: 06/05/2020
 Report Time: 2:44:30 PM

Current Institution: Seagoville FCI
 Housing Unit: SEA-B-A
 Living Quarters: B01-124U

<u>Alpha</u>					<u>Transaction</u>		<u>Encumbrance</u>	
<u>Code</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Amount</u>	<u>Amount</u>	<u>Ending Balance</u>
SEA	3/1/2020 12:10:37 AM	USEAD009			PLRA Payment	\$0.00		\$441.59
SEA	2/28/2020 3:16:00 PM	TL0228			TRUL Withdrawal	(\$5.00)		\$441.59
SEA	2/28/2020 3:15:48 PM	TL022020			Pre-Release Transaction		(\$9.20)	-----
SEA	2/27/2020 12:56:39 PM	VICP0220			Inmate Co-pay	(\$2.00)		\$446.59
SEA	2/23/2020 12:48:12 PM	1830			BP 199 Request - Released		\$10.00	-----
SEA	2/21/2020 6:07:39 AM	1830			BP 199 Request		(\$10.00)	-----
SEA	2/11/2020 9:08:22 AM	VJV006			Photo Copies	(\$5.46)		\$448.59
SEA	2/9/2020 2:14:06 PM	TL022020			Pre-Release Transaction		(\$45.00)	-----
SEA	2/7/2020 5:52:30 AM	VIPP0120			Payroll - IPP	\$66.66		\$454.05
SEA	2/7/2020 5:52:30 AM	USEAD009 - 1675			Debt Encumbrance		(\$10.00)	-----
SEA	2/3/2020 7:51:33 AM	1449			BP 199 Request - Released		\$1,200.00	-----
SEA	2/3/2020 7:51:33 AM	1449	785		Release Funds	(\$1,200.00)		\$387.39
SEA	2/1/2020 12:10:34 AM	USEAD009 - 1232			Debt Encumbrance - Released		\$23.66	-----
SEA	2/1/2020 12:10:34 AM	USEAD009	763		PLRA Payment	(\$13.66)		\$1,587.39
SEA	1/28/2020 9:00:42 AM	1407			BP 199 Request - Released		\$3.00	-----
SEA	1/28/2020 5:00:42 AM	1407	742		Govt Doc Required	(\$3.00)		\$1,601.05
SEA	1/28/2020 9:00:04 AM	1391			BP 199 Request - Released		\$15.00	-----
SEA	1/28/2020 9:00:04 AM	1391	740		Govt Doc Required	(\$15.00)		\$1,604.05
SEA	1/27/2020 3:23:47 PM	TL012020			Pre-Release Transaction		(\$2.11)	-----
SEA	1/27/2020 3:23:30 PM	TL0127			TRUL Withdrawal	(\$5.00)		\$1,619.05
SEA	1/26/2020 1:03:21 PM	33320026			Western Union	\$50.00		\$1,624.05
SEA	1/26/2020 1:03:21 PM	33320026			Pre-Release Transaction		(\$50.00)	-----
SEA	1/23/2020 2:22:27 PM	TL012020			Pre-Release Transaction		(\$90.00)	-----
SEA	1/23/2020 2:20:48 PM	TFN0123			Phone Withdrawal	(\$5.00)		\$1,574.05
SEA	1/23/2020 11:56:28 AM	1449			BP 199 Request		(\$1,200.00)	-----
SEA	1/23/2020 11:55:24 AM	TL012020			Pre-Release Transaction		\$775.00	-----
SEA	1/23/2020 11:54:44 AM	1442			BP 199 Request - Released		\$525.00	-----
SEA	1/22/2020 6:04:31 PM	1442			BP 199 Request		(\$525.00)	-----
SEA	1/22/2020 6:01:29 PM	TL012020			Pre-Release Transaction		\$525.00	-----
SEA	1/17/2020 2:05:49 PM	1407			BP 199 Request		(\$3.00)	-----
SEA	1/17/2020 2:05:19 PM	TL012020			Pre-Release Transaction		\$3.50	-----
SEA		TL0117			TRUL Withdrawal	(\$5.00)		\$1,579.05

UNITED STATES SUPREME COURT

Kevin Dwayne Moore
Plaintiff

APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVIT

V.

UNITED STATES OF AMERICA
Defendant

CASE NUMBER:

I, Kevin Moore declare that I am the (check appropriate box)
☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Part 2)

If "Yes," state the place of your incarceration FCC SEAGOVILLE

Are you employed at the institution? YES Do you receive any payment from the institution? _____

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☒ Yes ☐ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer. FRBP - SEAGOVILLE

MY PAY VARIES FROM MONTH TO MONTH HERE.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

N/A

3. In the past ⁶ twelve months have you received any money from any of the following sources?

- | | | |
|---|---|--|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| f. Any other sources | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

AO 240 Reverse (Rev. 9/96)

A FRIEND SENT ME \$150.00 - ONE TIME GIFT.

ANOTHER FRIEND SENT ME \$200.00, BY MISTAKE. I IMMEDIATELY SENT IT BACK. THEN SHE SENT IT AGAIN AND I IMMEDIATELY SENT IT BACK. SEE THE "①" AND "②" ON THE TRUST FUND SHEET.

4. Do you have any cash or checking or savings accounts?

☒ Yes

☐ No

If "Yes," state the total amount.

639.15. PLEASE NOTE THAT 627.82 IS FROM MY PRE-RELEASE ACCOUNT.

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes," describe the property and state its value.

N/A

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

N/A

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

June 8, 2020

Date

By: Karen Danyee: [Signature]

Signature of Applicant

UCC-1-308/3-415