

20-5194

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court
FILED

JUN 17 2001

OFFICE OF THE CLERK

IN RE: Kevin Pewayne 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):

USPL, Northern District of Texas, 2nd Cir Court; USCA
for the 5th 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.

By: LS: Kevin Pewayne Moore RECEIVED
(Signature) JUL 8 2001 2001

OFFICE OF THE CLERK
SUPREME COURT, U.S.

**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 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 47.63	\$ N/A	\$ 0	\$ N/A
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	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
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):	\$ 0	\$ 0	\$ 0	\$ 0
Total monthly income:	\$ 47.63		\$ 0	

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
F B I R	P.O. BOX 4000 SUITE 100, TX 75159	2015 6-15-20	\$ 1400.00 \$ 1300.00 \$ 1300.00

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 ^{437.77} ~~plus 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
F B I R - TRUST FUND	\$ 639.15 ^①	\$ N/A
	\$	\$
	\$	\$

^① PLEASE NOTE THAT \$627.82 IS IN 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 _____
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>
	\$ _____	\$ _____

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)	\$ <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/A</u>	\$ _____
Home maintenance (repairs and upkeep)	\$ _____	\$ _____
Food	\$ <u>10-15</u>	\$ _____
Clothing	\$ <u>N/A</u>	\$ _____
Laundry and dry-cleaning	\$ <u>N/A</u>	\$ _____
Medical and dental expenses	\$ <u>2-6</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.

THE INSTITUTION - FCI SEAGOVILLE, IS UNDER FULL LOCKDOWN,
QUARANTINE - CROWN 19. HAVE NOT WORKED SINCE MAY 10TH
UP UNTIL 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 PAY ANYONE. THERE WERE 2 REQUESTS 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

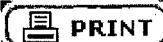
By: LS: Kirby Dwyer: mm

(Signature) UCL-1-308/

3-415

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>114</u>	\$ <u>114</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>\$ 10-21</u>	\$ <u> </u>

Inmate Statement

 PRINT

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 Code</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Transaction Amount</u>	<u>Encumbrance Amount</u>	<u>Ending Balance</u>
SEA	6/1/2020 1:31:07	VJV013			Photo Copies	(\$2.60)		\$639.15
	PM							
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	TL052020			Pre-Release Transaction	\$200.00		-----
SEA	PM				Photo Copies	(\$2.08)		\$844.19
SEA	5/4/2020 1:26:01	VJV010			Sales	(\$6.55)		\$846.27
SEA	5/4/2020 8:12:04	37			Lockbox - CD	\$200.00 ①		\$852.82
SEA	AM							
SEA	5/3/2020 5:01:52	70108002			Debt Encumbrance	(\$10.00)		-----
SEA	AM							
SEA	5/3/2020 5:01:52	USEAD009 - 2472			Pre-Release Transaction	(\$190.00)		-----
SEA	5/3/2020 5:01:52	70108002			Debt Encumbrance - Released	\$10.00		-----
SEA	AM				PLRA Payment	\$0.00		\$652.82
SEA	5/1/2020 12:10:46 AM	USEAD009 - 2367			Pre-Release Transaction	(\$16.73)		-----
SEA	5/1/2020 12:10:46 AM	USEAD009			Photo Copies	(\$0.52)		\$652.82
SEA	4/29/2020 8:59:51 AM	TL042020			Sales	(\$4.45)		\$653.34
SEA	4/27/2020 9:04:32 AM	VJV009			Pre-Release Transaction	\$5.00		-----
SEA	4/27/2020 7:36:45 AM	36			Photo Copies	(\$2.99)		\$657.79
SEA	4/26/2020 8:14:54 AM	TL042020			Sales	(\$11.20)		\$662.79
SEA	4/25/2020 2:30:56 PM	TL0425			Pre-Release Transaction	\$2.00		\$665.78
SEA	4/25/2020 2:30:45 PM	TL042020			TRUL Withdrawal	(\$5.00)		\$676.98
SEA	4/23/2020 12:59:13 PM	VJV009			Pre-Release Transaction	\$10.00		-----
SEA	4/21/2020 9:48:12 AM				Photo Copies	(\$2.99)		\$667.98
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	TL042020			Pre-Release Transaction	(\$60.00)		-----
SEA	AM				Payroll - IPP	\$66.69		\$874.98
SEA		VIPP0320						

SEA	4/8/2020 9:00:10 AM							
SEA	4/7/2020 1:03:34 TL042020 PM	Pre-Release Transaction Sales			\$200.00		-----	
SEA	4/6/2020 8:56:25 66 AM			(\$15.05)		\$808.29		
SEA	4/5/2020 5:01:42 70106002 AM	Lockbox - CD		\$200.00	①	\$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 Sales			(\$190.00)		-----	
SEA	4/2/2020 7:29:55 11 AM			(\$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								

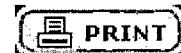
Alpha Code	Current Balances								
	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance	
SEA	\$11.33	\$627.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$639.15
Totals:	\$11.33	\$627.82	\$0.00	\$0.00	\$0.00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

Other Balances							
National 6 Months Deposits	National 6 Months Withdrawals	Natioanl 6 Months Avg Daily Balance	Local Max Balance - Prev 30 Days	Average Balance - Prev 30 Days	Commissary Restriction Start Date	Commissary Restriction End Date	
\$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

Alpha	Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
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 9:00:42 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		1/17/2020 2:05:19 PM	TL0117			TRUL Withdrawal	(\$5.00)		\$1,579.05

UNITED STATES SUPREME COURT

Kevin Deweyne Moore
Plaintiff

v.

APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVITUNITED 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. FBOP - SEAGOVILLE

MY PAY RATES 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.

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

ANOTHER FRIEND SENT ME \$200.00, BY MISTAKE. I IMMEDIATELY SENT IT BACK.
WHEN SHE SENT IT AGAIN AND 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 FOR MY
PRE-RELEASE ACCOUNTS.

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.

Since 8/2020

Date

By: Karen Dangueh

Signature of Applicant

UCC-1-308/3-415