

Provided To TOMOKA CI  
On 8/20/20 MR  
For Mailing, by MR

PROVIDED TO TOMOKA  
CI ON 11/2/20 MR  
FOR MAILING BY MR

No. 20-5869

20-5869

IN THE  
SUPREME COURT OF THE UNITED STATES

Provided To TOMOKA CI  
On 7/28/20 MR  
For Mailing, by MR

MICHAEL ROBERT EVERETT - PETITIONER

VS.

STATE OF FLORIDA, Sec'y OF  
DOC., ATT. GENERAL, et al. - RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

ORIGINAL

FILED  
AUG 20 2020  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s): SEVENTH JUD. CIR., FLAGLER CO. FL.; FIFTH D.C.A. FLORIDA,  
U.S. DIST. COURT FOR MIDDLE DIST. OF FLORIDA JACKSONVILLE DIV.,  
U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT.

☐ 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.

Michael Robert Everett  
(Signature)

RECEIVED  
AUG 28 2020  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

RECEIVED  
JAN - 9 2020  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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

I, Michael R. Everett 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 thereof; 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 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>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
<b>Total monthly income:</b>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</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
<u>Ø</u>	<u>Ø</u>	<u>Ø</u>	<u>Ø</u>
<u>Ø</u>	<u>Ø</u>	<u>Ø</u>	<u>Ø</u>
<u>Ø</u>	<u>Ø</u>	<u>Ø</u>	<u>Ø</u>

3. List your spouse's 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
<u>Ø</u>	<u>Ø</u>	<u>Ø</u>	<u>Ø</u>
<u>Ø</u>	<u>Ø</u>	<u>Ø</u>	<u>Ø</u>
<u>Ø</u>	<u>Ø</u>	<u>Ø</u>	<u>Ø</u>

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

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

Financial institution	Type of account	Amount you have	Amount your spouse has
<u>Ø</u>	<u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
<u>Ø</u>	<u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
<u>Ø</u>	<u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>

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

☐ Home  
Value Ø

☐ Other real estate  
Value Ø

☐ Motor Vehicle #1  
Year, make & model Ø  
Value Ø

☐ Motor Vehicle #2  
Year, make & model Ø  
Value Ø

☐ Other assets  
Description Ø  
Value Ø

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

7. State the persons who rely on you or your spouse for support.

Name

Relationship

Age

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

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

Are real estate taxes included?

☐ Yes ☐ No

Is property insurance included?

☐ Yes ☐ No

You

Your Spouse

\$ \_\_\_\_\_

\$ \_\_\_\_\_

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

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Home maintenance (repairs and upkeep)

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Food

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Clothing

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Laundry and dry-cleaning

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Medical and dental expenses

\$ \_\_\_\_\_

\$ \_\_\_\_\_

	You	Your Spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspaper, magazines, etc.	\$ <u>0</u>	\$ <u>0</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>0</u>
Life	\$ <u>0</u>	\$ <u>0</u>
Health	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s)	\$ <u>0</u>	\$ <u>0</u>
Department store(s)	\$ <u>0</u>	\$ <u>0</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others		
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly expenses	\$ <u>0</u>	\$ <u>0</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? 0

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

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? 0

If yes, state the person's name, address, and telephone number:

0

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

(SEE ATTACHED SEP MONTH STATEMENT, INFRA) 0

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

Executed on: SEPT 25TH, 2020  
AUGUST 20, 2020

Michael R. Everett  
(Signature)

FLORIDA DEPARTMENT OF CORRECTIONS  
TRUST FUND ACCOUNT STATEMENT  
FOR: 01/01/2020 - 08/01/2020

08/02/20  
13:40:10  
PAGE 1

ACCT NAME: EVERETT, MICHAEL R.  
BED: F2127L  
PO BOX:

ACCT#: K51763  
TYPE: INMATE TRUST

BEGINNING BALANCE 01/01/20

\$166.99

POSTED DATE	NBR	TYPE	REFERENCE NUMBER	FAC	REMITTER/PAYEE	+/-	AMOUNT	BALANCE
01/02/20	061	CANTEEN SALES	28220200101	000		-	\$15.11	\$151.88
01/04/20	182	JPAY DEPOSIT	110357918	000	EVERETT, CHERYL M.	+	\$50.00	\$201.88
01/05/20	061	CANTEEN SALES	28220200104	000		-	\$22.71	\$179.17
01/06/20	123	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.38	\$178.79
01/06/20	485	LEGAL POSTAGE W	2020010201	000		-	\$8.30	\$170.49
01/06/20	485	LEGAL POSTAGE W	2020010202	000		-	\$10.40	\$160.09
01/11/20	061	CANTEEN SALES	28220200110	000		-	\$26.07	\$134.02
01/13/20	121	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.26	\$133.76
01/18/20	061	CANTEEN SALES	28220200117	000		-	\$24.19	\$109.57
01/20/20	121	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.24	\$109.33
01/21/20	061	CANTEEN SALES	28220200120	000		-	\$1.76	\$107.57
01/24/20	156	PIE PAYROLL	P012420	000	PIE PAYROLL (AUTOMATED)	+	\$32.23	\$139.80
01/24/20	157	PROCESSING FEE	012420156197	000		-	\$0.50	\$139.30
01/27/20	061	CANTEEN SALES	28220200126	000		-	\$37.94	\$101.36
01/27/20	122	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.40	\$100.96
02/02/20	061	CANTEEN SALES	28220200201	000		-	\$37.00	\$63.96
02/03/20	123	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.37	\$63.59
02/07/20	157	PIE PAYROLL	P020720	000	PIE PAYROLL (AUTOMATED)	+	\$22.84	\$86.43
02/07/20	158	PROCESSING FEE	020720157497	000		-	\$0.50	\$85.93
02/08/20	061	CANTEEN SALES	28220200207	000		-	\$27.09	\$58.84
02/10/20	121	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.27	\$58.57
02/13/20	189	MO (JPAY)	112011007	000	EVERETT, CHERYL	+	\$50.00	\$108.57
02/13/20	190	PROCESSING FEE	021320189613	000		-	\$0.50	\$108.07
02/16/20	061	CANTEEN SALES	28220200215	000		-	\$20.20	\$87.87
02/17/20	121	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.20	\$87.67
02/21/20	118	PIE PAYROLL	P022120	000	PIE PAYROLL (AUTOMATED)	+	\$26.78	\$114.45
02/21/20	119	PROCESSING FEE	022120118507	000		-	\$0.50	\$113.95
02/22/20	061	CANTEEN SALES	28220200221	000		-	\$40.45	\$73.50
02/24/20	121	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.40	\$73.10
03/01/20	061	CANTEEN SALES	28220200229	000		-	\$37.00	\$36.10
03/02/20	121	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.37	\$35.73
03/08/20	061	CANTEEN SALES	28220200307	000		-	\$28.02	\$7.71
03/09/20	123	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.28	\$7.43
03/09/20	204	PIE PAYROLL	P030620	000	PIE PAYROLL (AUTOMATED)	+	\$26.21	\$33.64
03/09/20	205	PROCESSING FEE	030920204198	000		-	\$0.50	\$33.14
03/15/20	061	CANTEEN SALES	28220200314	000		-	\$27.56	\$5.58
03/16/20	121	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.28	\$5.30
03/20/20	214	PIE PAYROLL	P032020	000	PIE PAYROLL (AUTOMATED)	+	\$27.00	\$32.30
03/20/20	215	PROCESSING FEE	032020214250	000		-	\$0.50	\$31.80
03/20/20	306	JPAY DEPOSIT	113658956	000	EVERETT, CHERYL M.	+	\$200.00	\$231.80
03/22/20	061	CANTEEN SALES	28220200321	000		-	\$35.66	\$196.14
03/23/20	123	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.36	\$195.78
03/28/20	061	CANTEEN SALES	28220200327	000		-	\$38.52	\$157.26

FLORIDA DEPARTMENT OF CORRECTIONS  
TRUST FUND ACCOUNT STATEMENT  
FOR: 01/01/2020 - 08/01/2020

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13:40:10  
PAGE 2

ACCT NAME: EVERETT, MICHAEL R.  
BED: F2127L  
PO BOX:

ACCT#: K51763  
TYPE: INMATE TRUST

POSTED DATE	NBR	TYPE	REFERENCE NUMBER	FAC	REMITTER/PAYEE	+/-	AMOUNT	BALANCE
03/30/20	123	PROCESSING FEE	WEEKLY DRAW	000		-		
04/03/20	160	PIE PAYROLL	P040320	000	PIE PAYROLL (AUTOMATED)	+	\$0.39	\$156.87
04/03/20	161	PROCESSING FEE	040320160195	000		-	\$31.08	\$187.95
04/04/20	061	CANTEEN SALES	28220200403	000		-	\$0.50	\$187.45
04/05/20	061	CANTEEN SALES	28220200404	000		-	\$30.93	\$156.52
04/06/20	125	PROCESSING FEE	WEEKLY DRAW	000		-	\$9.65	\$146.87
04/13/20	061	CANTEEN SALES	28220200412	000		-	\$0.41	\$146.46
04/13/20	121	PROCESSING FEE	WEEKLY DRAW	000		-	\$23.13	\$123.33
04/13/20	238	JPAY DEPOSIT	114799623	000	EVERETT, GREG T.	+	\$0.23	\$123.10
04/15/20	264	JPAY MEDIA W/D	000067726329	000		-	\$20.00	\$143.10
04/17/20	160	PIE PAYROLL	P041720	000	PIE PAYROLL (AUTOMATED)	+	\$20.00	\$123.10
04/17/20	161	PROCESSING FEE	041720160552	000		-	\$31.00	\$154.10
04/22/20	061	CANTEEN SALES	28220200421	000		-	\$0.50	\$153.60
04/24/20	061	CANTEEN SALES	28220200423	000		-	\$33.52	\$120.08
04/27/20	123	PROCESSING FEE	WEEKLY DRAW	000		-	\$7.12	\$112.96
04/28/20	061	CANTEEN SALES	28220200427	000		-	\$0.41	\$112.55
05/01/20	061	CANTEEN SALES	28220200430	000		-	\$5.80	\$106.75
05/04/20	125	PROCESSING FEE	WEEKLY DRAW	000		-	\$4.12	\$102.63
05/08/20	061	CANTEEN SALES	28220200507	000		-	\$0.10	\$102.53
05/11/20	123	PROCESSING FEE	WEEKLY DRAW	000		-	\$29.84	\$72.69
05/15/20	061	CANTEEN SALES	28220200514	000		-	\$0.30	\$72.39
05/17/20	061	CANTEEN SALES	28220200516	000		-	\$19.41	\$52.98
05/18/20	123	PROCESSING FEE	WEEKLY DRAW	000		-	\$3.04	\$49.94
05/19/20	304	ACCESS CATALOG	2282	000		-	\$0.22	\$49.72
05/20/20	061	CANTEEN SALES	28220200519	000		-	\$6.40	\$43.32
05/24/20	059	CANTEEN SALES	28220200523	000		-	\$6.03	\$37.29
05/25/20	119	PROCESSING FEE	WEEKLY DRAW	000		-	\$23.39	\$13.90
05/29/20	061	CANTEEN SALES	28220200528	000		-	\$0.29	\$13.61
06/01/20	121	LIEN PAYMENT	WEEKLY DRAW	000		-	\$13.58	\$0.03
		PROCESSING FEE	- 06/01/2020	20200601		-	\$0.03	\$0.00
06/05/20	207	MO (JPAY)	117318109	000	EVERETT, CHERYL	+	\$260.00	\$260.00
06/05/20	208	PROCESSING FEE	060520207177	000		-	\$0.50	\$259.50
06/05/20	210	LIEN PAYMENT	060520207177	000		-	\$0.11	\$259.39
		PROCESSING FEE	- 06/01/2020	20200601		-		
06/08/20	059	CANTEEN SALES	28220200607	000		-	\$44.87	\$214.52
06/08/20	119	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.45	\$214.07
06/12/20	061	CANTEEN SALES	28220200611	000		-	\$18.66	\$195.41
06/13/20	237	JPAY MEDIA W/D	000074186117	000		-	\$1.33	\$194.08
06/14/20	061	CANTEEN SALES	28220200613	000		-	\$9.97	\$184.11
06/15/20	124	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.29	\$183.82
06/20/20	061	CANTEEN SALES	28220200619	000		-	\$16.56	\$167.26
06/22/20	117	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.17	\$167.09
06/25/20	061	CANTEEN SALES	28220200624	000		-	\$1.70	\$165.39
06/28/20	059	CANTEEN SALES	28220200627	000		-	\$16.13	\$149.26
06/29/20	121	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.18	\$149.08



IBSR140 (74)

FLORIDA DEPARTMENT OF CORRECTIONS  
TRUST FUND ACCOUNT STATEMENT  
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TYPE: INMATE TRUST

POSTED DATE	NBR	TYPE	REFERENCE NUMBER	FAC	REMITTER/PAYEE	+/-	AMOUNT	BALANCE
06/30/20	061	CANTEEN SALES	28220200629	000		-	\$13.03	\$136.05
07/04/20	059	CANTEEN SALES	28220200703	000		-	\$35.00	\$101.05
07/06/20	122	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.48	\$100.57
07/10/20	061	CANTEEN SALES	28220200709	000		-	\$29.50	\$71.07
07/10/20	109	PIE PAYROLL	P071020	000	PIE PAYROLL (AUTOMATED)	+	\$18.13	\$89.20
07/10/20	110	PROCESSING FEE	071020109313	000		-	\$0.50	\$88.70
07/12/20	059	CANTEEN SALES	28220200711	000		-	\$4.50	\$84.20
07/13/20	121	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.34	\$83.86
07/17/20	061	CANTEEN SALES	28220200716	000		-	\$21.82	\$62.04
07/20/20	059	CANTEEN SALES	28220200719	000		-	\$0.99	\$61.05
07/20/20	117	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.23	\$60.82
07/24/20	115	PIE PAYROLL	P072420	000	PIE PAYROLL (AUTOMATED)	+	\$32.38	\$93.20
07/24/20	116	PROCESSING FEE	072420115472	000		-	\$0.50	\$92.70
07/25/20	061	CANTEEN SALES	28220200724	000		-	\$34.20	\$58.50
07/27/20	119	PROCESSING FEE	WEEKLY DRAW	000		-	\$0.34	\$58.16

ENDING BALANCE 08/01/20

\$58.16