

20-5870

IN THE
SUPREME COURT OF THE UNITED STATES

ORIGINAL

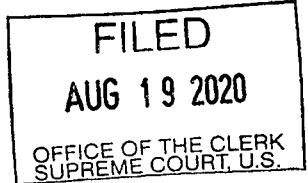
DeMarcus Clark

Petitioner

VS.

STATE OF LOUISIANA

Respondent



MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

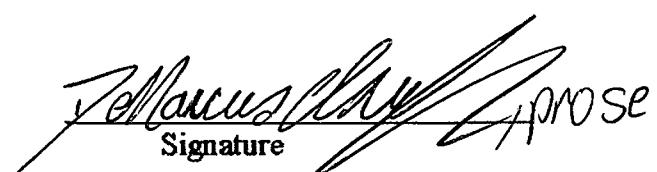
The petitioner asks leave to file the attached petition for writ of certiorari without prepayment of cost and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

1st Judicial District Court, Parish of Caddo
Louisiana Second Circuit Court of Appeals
Louisiana 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


Signature

RECEIVED

AUG 26 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, DeMarcus Clark, 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 cost of this case or give security therefore; 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> 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>
Total monthly income:	\$ <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 payments
<u>N/A</u>			\$ <u>0</u>
<u>N/A</u>			\$ <u>0</u>
<u>N/A</u>			\$ <u>0</u>

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.)

<u>N/A</u>			\$ <u>0</u>
<u>N/A</u>			\$ <u>0</u>
<u>N/A</u>			\$ <u>0</u>

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.

Financial Institution	Type of account	Amount you have	Amount your spouse has
<u>N/A</u>		\$ <u>0</u>	\$ <u>0</u>
<u>N/A</u>		\$ <u>0</u>	\$ <u>0</u>
<u>N/A</u>		\$ <u>0</u>	\$ <u>0</u>

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

<input type="checkbox"/> Home Value <u>N/A</u>	<input type="checkbox"/> Other real estate Value <u>N/A</u>
<input type="checkbox"/> Motor Vehicle #1 Year, make & model <u>N/A</u> Value <u>N/A</u>	<input type="checkbox"/> Motor Vehicle #2 Year, make & model <u>N/A</u> Value <u>N/A</u>
<input type="checkbox"/> Other assets Description <u>N/A</u> 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>0</u>	\$ <u>0</u>
<u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
<u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>

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

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 payments (include lot rented for mobile home)	\$ <u>0</u>	\$ <u>0</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>0</u>	\$ <u>0</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>0</u>
Food	\$ <u>0</u>	\$ <u>0</u>
Clothing	\$ <u>0</u>	\$ <u>0</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>0</u>
Medical dental expenses	\$ <u>0</u>	\$ <u>0</u>

	You	Your Spouse
Transportation (not including motor vehicle payment)	\$ <u> 0 </u>	\$ <u> 0 </u>
Recreation, entertainment, newspapers, 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> 0 </u>	\$ <u> 0 </u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <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> 0 </u>	\$ <u> 0 </u>
Alimony, maintenance, and support paid to others	\$ <u> 0 </u>	\$ <u> 0 </u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u> 0 </u>	\$ <u> 0 </u>
Other (specify): _____	\$ <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 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? \$3500.00

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

Justin and Autumn Harrell, 1100 Poydras St, Suite 2900, New Orleans, LA 70118

11. Have you paid – or will 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? _____

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

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

My primary financial provider passed away in August of 2018. Even prior to such, that aide was sparingly. Upon his passing he left me a lump sum of cash. That was used actually prior to his passing by him and a host of family members in aide of my relief efforts. I've filed my Writs, etc Pro Se, as a necessity due to lack of funds. Expect my application for COA, which was paid for by I declare under penalty of perjury that the foregoing is true and correct. the aide mentioned early in this statement.

Executed on: August 17th, 2020.

Signature