

IN THE  
SUPREME COURT OF THE UNITED STATES

No. \_\_\_\_\_

BURTON LEE SMITH

Petitioner,

VS.

ADMINISTRATOR NEW JERSEY STATE PRISON, et al.

Respondent.

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PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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**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.

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

NEW JERSEY SUPERIOR COURT-LAW DIVISION, NEW JERSEY SUPERIOR  
COURT-APPELLATE DIVISION, NEW JERSEY SUPREME COURT, UNITED STATES  
DISTRICT COURT FOR THE THIRD CIRCUIT, UNITED STATES COURT OF  
APPEALS FOR THE THIRD CIRCUIT

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

Dated: September 8, 2020

  
\_\_\_\_\_  
Burton Lee Smith  
Petitioner

Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public Assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): <u>Prison</u>	\$ <u>      </u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<b>Total monthly income</b>	\$ <u>      </u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>

2. List your employment history, most recent employer first.  
(Gross monthly pay is before taxes or other deductions.)

<b>Employer Monthly Pay</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross</b>
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N/A \_\_\_\_\_

3. List your spouse's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

<b>Employer Monthly Pay</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross</b>
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N/A \_\_\_\_\_

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

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

<b>Financial Institution</b>	<b>Type of Account</b>	<b>Amount you have</b>	<b>Amount your spouse has</b>
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N/A \_\_\_\_\_

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

N/A \_\_\_\_\_

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

N/A \_\_\_\_\_

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

N/A \_\_\_\_\_

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.

N/A

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9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months? **NO**
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? **NO**
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? **NO**
12. Provide any other information that will help explain why you cannot pay the cost of this case.

I am a prisoner housed at New Jersey State Prison, in Trenton, New Jersey and I only received state-pay which is \$ .00 a month, which fines is deducted from that and what is left I have to buy my own hygiene products, such as (toothpaste, deodorant, soap etc.)

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

Executed on: September 8, 2020

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Burton Lee Smith  
Petitioner