

DOCKET NO. _____

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2020

ROBIN LEE ARCHER

Petitioner,

vs.

STATE OF FLORIDA

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

COMES NOW, Petitioner, **ROBIN LEE ARCHER**, by and through undersigned counsel, and moves for leave of this Court to proceed *in forma pauperis* in this proceeding. Petitioner has been found indigent by each state court in which he has challenged this conviction and sentence, and has been permitted to proceed *in forma pauperis*, pursuant to Fla. Stat. Title V, Ch. 27, §§ 27.51 & 27.52, before each of those courts: First Judicial Circuit Court, Escambia County, Florida, and the Florida Supreme Court.

WHEREFORE, Petitioner moves the Court for leave to proceed in this action *in forma pauperis*.

I HEREBY CERTIFY that a true copy of the foregoing motion has been furnished by United States Mail, first-class postage prepaid, to all counsel of record on October 13, 2020.

/s/ Martin J McClain
MARTIN J. McCLAIN
Fla. Bar No. 0754773
141 N.E. 30th Street
Wilton Manors, Florida 33334
(305) 984-8344
martymcclain@comcast.net

COUNSEL FOR PETITIONER

ATTACHMENT 1

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

I, Robin Lee Archer, 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	\$ <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 pay
N/A			\$
			\$
			\$

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			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 209.84

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
Inmate account	\$ <u>209.84</u>	\$
	\$	\$
	\$	\$

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

None

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

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
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.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 0	\$ 0
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)	\$ 0	\$ 0
Home maintenance (repairs and upkeep)	\$ 0	\$ 0
Food	\$ 480 ⁰⁰	\$ 0
Clothing	\$ 0	\$ 0
Laundry and dry-cleaning	\$ 0	\$ 0
Medical and dental expenses	\$ 0	\$ 0

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0	\$ 0
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 0
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ 0
Life	\$ 0	\$ 0
Health	\$ 0	\$ 0
Motor Vehicle	\$ 0	\$ 0
Other: _____	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ 0	\$ 0
Installment payments		
Motor Vehicle	\$ 0	\$ 0
Credit card(s)	\$ 0	\$ 0
Department store(s)	\$ 0	\$ 0
Other: _____	\$ 0	\$ 0
Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0
Other (specify): _____	\$ 0	\$ 0
Total monthly expenses:	\$ 80⁰⁰	\$ 0

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? _____

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? _____

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.

Incarcerated since 1991

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

Executed on: October 1st, 2020



(Signature)

ATTACHMENT 2

ACCT NAME: ARCHER, ROBIN L.
 BED: P51185
 PO BOX:

ACCT#: 216728
 TYPE: INMATE TRUST

09/29/20
 06:31:19
 PAGE 1

BEGINNING BALANCE 03/01/20							\$82.69
POSTED DATE	NBR	TYPE	REFERENCE NUMBER	FAC	REMITTER/PAYEE	AMOUNT	BALANCE
						+/-	
03/02/20	167	PROCESSING FEE	WEEKLY DRAW 000			\$0.15	\$82.54
03/04/20	043	CANTEEN SALES	21320200303 000		ARCHER, WILLIAM	\$13.56	\$68.98
03/07/20	207	JPAY DEPOSIT	113108309 000			\$120.00	\$188.98
03/09/20	173	PROCESSING FEE	WEEKLY DRAW 000			\$0.14	\$188.84
03/12/20	043	CANTEEN SALES	21320200311 000			\$19.03	\$169.81
03/16/20	171	PROCESSING FEE	WEEKLY DRAW 000			\$0.19	\$169.62
03/18/20	043	CANTEEN SALES	21320200317 000			\$19.80	\$149.82
03/23/20	173	PROCESSING FEE	WEEKLY DRAW 000			\$0.20	\$149.62
03/25/20	043	CANTEEN SALES	21320200324 000			\$16.95	\$132.67
03/30/20	171	PROCESSING FEE	WEEKLY DRAW 000			\$0.17	\$132.50
04/01/20	043	CANTEEN SALES	21320200331 000			\$16.56	\$115.94
04/06/20	173	PROCESSING FEE	WEEKLY DRAW 000			\$0.17	\$115.77
04/07/20	043	CANTEEN SALES	21320200406 000			\$23.13	\$92.64
04/13/20	171	PROCESSING FEE	WEEKLY DRAW 000			\$0.23	\$92.41
04/15/20	043	CANTEEN SALES	21320200414 000			\$15.56	\$76.85
04/20/20	171	PROCESSING FEE	WEEKLY DRAW 000			\$0.16	\$76.69
04/21/20	043	CANTEEN SALES	21320200420 000			\$13.56	\$63.13
04/27/20	171	PROCESSING FEE	WEEKLY DRAW 000			\$0.14	\$62.99
04/29/20	043	CANTEEN SALES	21320200428 000			\$13.56	\$49.43
05/02/20	214	JPAY DEPOSIT	115774148 000		ARCHER, WILLIAM	\$120.00	\$169.43
05/04/20	175	PROCESSING FEE	WEEKLY DRAW 000			\$0.14	\$169.29
05/06/20	045	CANTEEN SALES	21320200505 000			\$14.56	\$154.73
05/11/20	173	PROCESSING FEE	WEEKLY DRAW 000			\$0.15	\$154.58
05/13/20	043	CANTEEN SALES	21320200512 000			\$17.94	\$136.64
05/18/20	173	PROCESSING FEE	WEEKLY DRAW 000			\$0.18	\$136.46
05/20/20	043	CANTEEN SALES	21320200519 000			\$19.03	\$117.43
05/25/20	167	PROCESSING FEE	WEEKLY DRAW 000			\$0.19	\$117.24
05/27/20	043	CANTEEN SALES	21320200526 000			\$13.56	\$103.68
06/01/20	167	PROCESSING FEE	WEEKLY DRAW 000			\$0.14	\$103.54
06/02/20	043	CANTEEN SALES	21320200601 000		ARCHER, WILLIAM	\$13.56	\$89.98
06/06/20	189	JPAY DEPOSIT	117376063 000			\$80.00	\$169.98
06/08/20	169	PROCESSING FEE	WEEKLY DRAW 000			\$0.14	\$169.84
06/10/20	043	CANTEEN SALES	21320200609 000			\$11.71	\$158.13
06/15/20	172	PROCESSING FEE	WEEKLY DRAW 000			\$0.12	\$158.01
06/17/20	043	CANTEEN SALES	21320200616 000			\$13.66	\$144.35
06/22/20	163	PROCESSING FEE	WEEKLY DRAW 000			\$0.14	\$144.21
06/24/20	043	CANTEEN SALES	21320200623 000			\$15.18	\$129.03
06/29/20	167	PROCESSING FEE	WEEKLY DRAW 000			\$0.15	\$128.88
06/30/20	043	CANTEEN SALES	21320200629 000			\$14.09	\$114.79
07/02/20	218	JPAY DEPOSIT	118520201 000		ARCHER, WILLIAM	\$240.00	\$354.79
07/06/20	170	PROCESSING FEE	WEEKLY DRAW 000			\$0.14	\$354.65
07/08/20	043	CANTEEN SALES	21320200707 000			\$6.73	\$347.92
07/13/20	167	PROCESSING FEE	WEEKLY DRAW 000			\$0.07	\$347.85

ACCT NAME: ARCHER, ROBIN L.
 BED: P5118S
 PO BOX:

ACCT#: 2116728
 TYPE: INMATE TRUST

POSTED DATE	NBR	TYPE	REFERENCE NUMBER	FAC	REMITTER/PAYEE	+/-	AMOUNT	BALANCE
07/15/20	043	CANTEEN SALES	21320200714	000			\$15.86	\$331.99
07/20/20	161	PROCESSING FEE	WEEKLY DRAW	000			\$0.16	\$331.83
07/22/20	043	CANTEEN SALES	21320200721	000			\$17.04	\$314.79
07/27/20	161	PROCESSING FEE	WEEKLY DRAW	000			\$0.17	\$314.62
07/29/20	041	CANTEEN SALES	21320200728	000			\$17.38	\$297.24
08/03/20	157	PROCESSING FEE	WEEKLY DRAW	000			\$0.17	\$297.07
08/05/20	043	CANTEEN SALES	21320200804	000			\$17.04	\$280.03
08/10/20	153	PROCESSING FEE	WEEKLY DRAW	000			\$0.17	\$279.86
08/11/20	039	CANTEEN SALES	21320200810	000			\$11.37	\$268.49
08/17/20	161	PROCESSING FEE	WEEKLY DRAW	000			\$0.11	\$268.38
08/20/20	043	CANTEEN SALES	21320200819	000			\$15.45	\$252.93
08/24/20	161	PROCESSING FEE	WEEKLY DRAW	000			\$0.15	\$252.78
08/26/20	041	CANTEEN SALES	21320200825	000			\$11.81	\$240.97
08/31/20	165	PROCESSING FEE	WEEKLY DRAW	000			\$0.12	\$240.85
09/01/20	043	CANTEEN SALES	21320200831	000			\$13.40	\$227.45
09/07/20	170	PROCESSING FEE	WEEKLY DRAW	000			\$0.13	\$227.32
09/10/20	043	CANTEEN SALES	21320200909	000			\$16.05	\$211.27
09/14/20	163	PROCESSING FEE	WEEKLY DRAW	000			\$0.16	\$211.11
09/24/20	041	CANTEEN SALES	21320200923	000			\$1.26	\$209.85
09/28/20	161	PROCESSING FEE	WEEKLY DRAW	000			\$0.01	\$209.84

ENDING BALANCE 09/29/20 \$209.84