

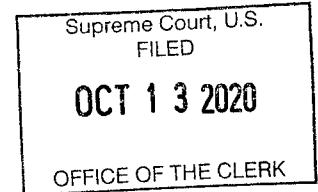
20-6082

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

DOUGLAS D. YOKOIS,



PETITIONER,

vs.

MARK BRNOVICH, ATTORNEY GENERAL
OF THE STATE OF ARIZONA

and

DAVID C. SHINN, DIRECTOR,
ARIZONA DEPARTMENT OF CORRECTIONS,

RESPONDENTS.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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

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

U.S. District Court Arizona

Ninth Circuit Court of Appeals

[] 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.

Dated: October 9th, 2020

R. R. Y.

Douglas Yokois

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

I, Douglas D. Yokois, 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>116.00</u>	\$ <u>0</u>	\$ <u>116.00</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>116.00</u>	\$ <u>0</u>	\$ <u>116.00</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	N/A	N/A	\$ Ø
N/A	N/A	N/A	\$ Ø
N/A	N/A	N/A	\$ Ø

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	\$ Ø
N/A	N/A	N/A	\$ Ø
N/A	N/A	N/A	\$ Ø

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
Wells Fargo	Checking	\$ 5,000.00	\$ Ø
Wells Fargo	Savings	\$ 300.00	\$ Ø
N/A	N/A	\$ N/A	\$ Ø

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

Home
 Value _____

Other real estate
 Value _____

Motor Vehicle #1
 Year, make & model _____
 Value _____

Motor Vehicle #2
 Year, make & model _____
 Value _____

Other assets
 Description Edward Jones SEP-IRA
 Value 163,880.00

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

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

Name	Relationship	Age
N/A	N/A	N/A
N/A	N/A	N/A
N/A	N/A	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)	\$ <u>Ø</u>	\$ <u>Ø</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>2.00</u>	\$ <u>Ø</u>
Home maintenance (repairs and upkeep)	\$ <u>Ø</u>	\$ <u>Ø</u>
Food	\$ <u>240.00</u>	\$ <u>Ø</u>
Clothing	\$ <u>10.00</u>	\$ <u>Ø</u>
Laundry and dry-cleaning	\$ <u>48.00</u>	\$ <u>Ø</u>
Medical and dental expenses	\$ <u>4.67</u>	\$ <u>Ø</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>20.00</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>24.00</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>legal copies and mail</u>	\$ <u>54.55</u>	\$ <u>0</u>
Total monthly expenses:	<u>\$ 393.22</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? _____

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.

I've been incarcerated as an Arizona State Prisoner since August 24, 2007. I'm a disabled veteran who is wheelchair-dependent. I have no income except for my VA disability compensation. My only asset is my Sep-IRA.

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

Executed on: September 20, 2020


(Signature)

**ARIZONA DEPARTMENT OF CORRECTIONS
INMATE TRUST ACCOUNTS OFFICE**

CERTIFIED STATEMENT OF ACCOUNT

YOKOIS, DOUGLAS D

240176

As of **September 1, 2020**, the above named inmate had a spendable and retention amount balance of **\$629.34** in his/her trust account. During the past six months, the inmate's average monthly spendable/retention balance was **\$682.50** and the average monthly deposit to the inmate's account during this time was **\$590.89**

Account statements for the previous six months are as follows:

	Spendable Amount	Total Deposits
1ST MONTH	\$530.48	\$6.85
2ND MONTH	\$978.53	\$1,017.40
3RD MONTH	\$412.74	\$6.56
4TH MONTH	\$742.89	\$1,004.65
5TH MONTH	\$798.80	\$1,007.87
6TH MONTH	\$631.54	\$502.02
TOTAL	\$4,094.98	\$3,545.35
AVERAGE	\$682.50	\$590.89

Signature of Authorized Employee



September 1, 2020

ASPC- **EYMAN**

Per Department Order 905-T

Service charge of **\$.25 per page for**

1 pages: \$0.25 due.

AZ31855P

9/1/2020 2:11 PM

Certified Statement

ADC #: 240176

Name: YOKOIS, DOUGLAS D

Month	Year	Receipt Amount	Account Balance
August	2020	\$502.02	\$631.54
July	2020	\$1,007.87	\$798.80
June	2020	\$1,004.65	\$742.89
May	2020	\$6.56	\$412.74
April	2020	\$1,017.40	\$978.53
March	2020	\$6.85	\$530.48
Total:		\$3,545.35	

Institution Officer Signature/Title

Date



ARIZONA DEPARTMENT OF CORRECTIONS

Inmate Letter

Requests are limited to one page and one issue. NO ATTACHMENTS PERMITTED. Please print all information.

INMATE NAME (Last, First M.I.) (Please print)	ADC NUMBER	INSTITUTION/UNIT	DATE (mm/dd/yyyy)
Yokois, Douglas D	240126	Evangel/5M42	08-30-2020

To	Location
ASOTII C. Amos	Bus. Office Inmate Accounts

State briefly but completely the problem on which you desire assistance. Provide as many details as possible.

Subject: Certified Copy of ITA Statement for Last Six (6) Months Urgently Needed.

1. Please immediately send me a certified copy of my ITA for the last 6 months. I am required to attach it to my Motion to proceed in forma pauperis in the United States Supreme Court. I am enclosing a signed ADC Form 905-1 to cover the cost of this document.
2. Thank you in advance for your prompt, timely resolution of my problem.

encl: ADC Form 905-1

RECEIVED:

SEP 01 2020

ADC

ASPC-FLORENCE
RECEIVED

SEP 01 2020

BUSINESS OFFICE

INMATE SIGNATURE	DATE (mm/dd/yyyy)
	08-30-2020

Have You Discussed This With Institution Staff? Yes No

If yes, give the staff member's name:

Distribution: Original - Master File
Copy - Inmate

916-1(e)
5/14/12

INMATE NAME: YOKOIS, DOUGLAS D
ADC # # 240176
ASPC: EYMAN
DATE: September 1, 2020

SPEND/RETENTION: 629.34

BALANCES		SP/RETN	
1st Month	530.48	1st Month	Spend 530.48
2nd Month	978.53		Retention 0.00
3rd Month	412.74		Sub-total 530.48
4th Month	742.89	2nd Month	Spend 978.53
5th Month	798.80		Retention 0.00
6th Month	631.54		Sub-total 978.53
Total	\$4,094.98	3rd Month	Spend 412.74
	4,094.98		Retention 0.00
	6		Sub-total 412.74
Average	\$682.50	4th Month	Spend 742.89
			Retention 0.00
			Sub-total 742.89
DEPOSITS		5th Month	Spend 798.80
1st Month	6.85		Retention 0.00
2nd Month	1,017.40		Sub-total 798.80
3rd Month	6.56	6th Month	Spend 631.54
4th Month	1,004.65		Retention 0.00
5th Month	1,007.87		Sub-total 631.54
6th Month	502.02	Total	\$4,094.98
Total	\$3,545.35		4,094.98
			6
		Average	\$682.50
Average	\$590.89		