

No. 20-6251

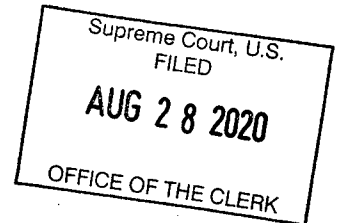
ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

Timothy T. Byers — PETITIONER  
(Your Name)

VS.

United States — RESPONDENT(S)



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*.

Please check the appropriate boxes:

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

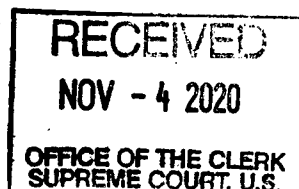
☒ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

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

☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: \_\_\_\_\_, or

☐ a copy of the order of appointment is appended.



Timothy T. Byers  
(Signature)

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

I, Timothy Byers, 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	\$ _____	\$ _____	\$ _____	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ <u>NA</u>	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ <u>NA</u>	\$ _____
Child Support	\$ <u>NA</u>	\$ <u>250</u>	\$ <u>NA</u>	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ <u>NA</u>	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
<b>Total monthly income:</b>	\$ _____	\$ _____	\$ _____	\$ _____

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
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

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
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

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.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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 _____	<input type="checkbox"/> Other real estate Value _____
<input type="checkbox"/> Motor Vehicle #1 Year, make & model _____ Value _____	<input type="checkbox"/> Motor Vehicle #2 Year, make & model _____ 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**

_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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**

_____	_____	_____
_____	_____	_____
_____	_____	_____

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)

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

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

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

Executed on: October 22<sup>nd</sup>, 2020

Timothy Byers  
(Signature)

## Inmate Statement



Inmate Reg #: 41579037  
 Inmate Name: BYERS, TIMOTHY  
 Report Date: 10/14/2020  
 Report Time: 1:28:52 PM

Current Institution: Lee USP  
 Housing Unit: LEE-K-A  
 Living Quarters: K01-330U

<u>Alpha</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Transaction Amount</u>	<u>Encumbrance Amount</u>	<u>Ending Balance</u>
LEE	6/17/2020 2:29:48 PM	TL0617			TRUL Withdrawal	(\$5.00)		\$444.36
LEE	6/17/2020 1:32:36 PM	TL062020			Pre-Release Transaction		\$20.00	-----
LEE	6/9/2020 1:03:35 PM	24			Sales	(\$0.85)		\$449.36
LEE	6/9/2020 12:26:36 PM	TL062020			Pre-Release Transaction		\$20.00	-----
LEE	6/8/2020 10:43:19 AM	VFRP0620			Pre-Release Transaction		\$22.89	-----
LEE	6/8/2020 10:43:19 AM	VFRP0620			FRP Quarterly Pymt	(\$25.00)		\$450.21
LEE	6/8/2020 10:43:00 AM	VIPP0520			Payroll - IPP	\$3.00		\$475.21
LEE	6/8/2020 10:43:00 AM	VIPP0520			Pre-Release Transaction		(\$3.00)	-----
LEE	5/30/2020 6:03:59 PM	33320151			Western Union	\$150.00		\$472.21
LEE	5/30/2020 6:03:59 PM	33320151			Pre-Release Transaction		(\$150.00)	-----
LEE	5/29/2020 2:22:54 PM	TL0529			TRUL Withdrawal	(\$10.00)		\$322.21
LEE	5/29/2020 2:22:33 PM	TL052020			Pre-Release Transaction		\$10.00	-----
LEE	5/27/2020 8:37:27 AM	36			Sales	(\$7.75)		\$332.21
LEE	5/25/2020 2:27:48 PM	TL0525			TRUL Withdrawal	(\$5.00)		\$339.96
LEE	5/20/2020 10:38:07 AM	TL0520			TRUL Withdrawal	(\$10.00)		\$344.96
LEE	5/20/2020 10:36:24 AM	TL052020			Pre-Release Transaction		\$20.00	-----
LEE	5/18/2020 12:56:47 PM	113			Sales	(\$11.85)		\$354.96
LEE	5/15/2020 1:22:57 PM	TL0515			TRUL Withdrawal	(\$10.00)		\$366.81
LEE	5/15/2020 1:22:37 PM	TL052020			Pre-Release Transaction		\$23.00	-----
LEE	5/13/2020 2:16:32 PM	TL052020			Pre-Release Transaction		(\$10.00)	-----
LEE	5/11/2020 11:04:31 AM	37			Sales	(\$2.95)		\$376.81
LEE	5/11/2020 10:28:37 AM	TL0511			TRUL Withdrawal	(\$10.00)		\$379.76
LEE	5/11/2020 10:28:11 AM	TL052020			Pre-Release Transaction		\$20.00	-----
LEE	5/8/2020 8:15:01 AM	VIPP0420			Payroll - IPP	\$3.00		\$389.76
LEE	5/8/2020 8:15:01 AM	VIPP0420			Pre-Release Transaction		(\$3.00)	-----
LEE	5/5/2020 1:01:30 PM	188			Sales	(\$7.70)		\$386.76
LEE	5/3/2020 7:05:23 AM	33320124			Western Union	\$100.00		\$394.46
LEE	5/3/2020 7:05:23 AM	33320124			Pre-Release Transaction		(\$100.00)	-----
LEE	4/29/2020 9:59:11 AM	TFN0429			Phone Withdrawal	\$3.06		\$294.46
LEE	4/27/2020 12:52:20 PM	141			Sales	(\$1.45)		\$291.40
LEE	4/22/2020 1:59:14 PM	TL042020			Pre-Release Transaction		\$8.00	-----
LEE		97			Sales	(\$1.40)		\$292.85

	4/22/2020 8:49:13 AM			
LEE	4/22/2020 8:48:50 96 AM	Sales	(\$4.25)	\$294.25
LEE	4/17/2020 TL0417 10:39:36 AM	TRUL Withdrawal	(\$10.00)	\$298.50
LEE	4/17/2020 TL042020 10:39:17 AM	Pre-Release Transaction	\$20.00	-----
LEE	4/14/2020 9:58:41 86 AM	Sales	(\$5.45)	\$308.50
LEE	4/9/2020 9:45:07 VIPP0320 AM	Payroll - IPP	\$3.00	\$313.95
LEE	4/9/2020 9:45:07 VIPP0320 AM	Pre-Release Transaction	(\$3.00)	-----
LEE	4/9/2020 8:30:08 76 AM	Sales	(\$9.80)	\$310.95
LEE	4/8/2020 1:32:16 TFN0408 PM	Phone Withdrawal	(\$3.00)	\$320.75
LEE	4/2/2020 6:04:28 33320093 PM	Western Union	\$75.00	\$323.75
LEE	4/2/2020 6:04:28 33320093 PM	Pre-Release Transaction	(\$75.00)	-----
LEE	3/31/2020 77 12:01:12 PM	Sales	(\$18.35)	\$248.75
LEE	3/30/2020 1:46:06 TL032020 PM	Pre-Release Transaction	\$20.00	-----
LEE	3/30/2020 1:36:25 TFN0330 PM	Phone Withdrawal	(\$3.00)	\$267.10
LEE	3/20/2020 5:39:17 TFN0320 PM	Phone Withdrawal	(\$3.00)	\$270.10
LEE	3/20/2020 TL032020 10:39:16 AM	Pre-Release Transaction	\$23.00	-----
LEE	3/20/2020 TFN0320 10:16:25 AM	Phone Withdrawal	(\$3.00)	\$273.10
LEE	3/19/2020 2:34:09 TL032020 PM	Pre-Release Transaction	\$3.00	-----
LEE	3/18/2020 9:38:08 72 AM	Sales	\$0.00	\$276.10

123

Total Transactions: 122

Totals: \$524.55 (\$505.85)

Current Balances

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrance</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Account Balance</u>
LEE	\$19.35	\$668.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$688.20
Totals:	\$19.35	\$668.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$688.20

Other Balances

<u>National 6 Months Deposits</u>	<u>National 6 Months Withdrawals</u>	<u>Natioanl 6 Months Avg Daily Balance</u>	<u>Local Max Balance - Prev 30 Days</u>	<u>Average Balance - Prev 30 Days</u>	<u>Commissary Restriction Start Date</u>	<u>Commissary Restriction End Date</u>
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		



## Inmate Statement



Inmate Reg #: 41579037  
 Inmate Name: BYERS, TIMOTHY  
 Report Date: 10/14/2020  
 Report Time: 1:28:59 PM

Current Institution: Lee USP  
 Housing Unit: LEE-K-A  
 Living Quarters: K01-330U

Alpha Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
LEE	3/17/2020 9:39:47 AM	3541			BP 199 Request - Released		\$50.00	-----
LEE	3/17/2020 9:39:47 AM	3541	2410		Bills	(\$50.00)		\$276.10
LEE	3/9/2020 8:03:30 AM	VFRP0320			Pre-Release Transaction		\$5.30	-----
LEE	3/9/2020 8:03:30 AM	VFRP0320			FRP Quarterly Pymt	(\$25.00)		\$326.10
LEE	3/7/2020 8:54:20 AM	TL0307			TRUL Withdrawal	(\$5.00)		\$351.10
LEE	3/6/2020 7:21:29 PM	3541			BP 199 Request		(\$50.00)	-----
LEE	3/6/2020 7:20:53 PM	TL032020			Pre-Release Transaction		\$50.00	-----
LEE	3/5/2020 5:09:43 PM	TL0305			TRUL Withdrawal	(\$10.00)		\$356.10
LEE	3/4/2020 6:55:10 PM	TFN0304			Phone Withdrawal	(\$8.00)		\$366.10
LEE	3/3/2020 7:06:49 PM	TL0303			TRUL Withdrawal	(\$10.00)		\$374.10
LEE	3/3/2020 9:18:36 AM	23			Sales	(\$24.50)		\$384.10
LEE	3/3/2020 6:58:45 AM	TL0303			TRUL Withdrawal	(\$10.00)		\$408.60
LEE	2/29/2020 9:03:24 AM	33320060			Western Union	\$100.00		\$418.60
LEE	2/29/2020 9:03:24 AM	33320060			Pre-Release Transaction		(\$100.00)	-----
LEE	2/24/2020 11:19:44 AM	36			Sales	(\$1.75)		\$318.60
LEE	2/11/2020 12:15:31 PM	204			Sales	(\$0.85)		\$320.35
LEE	2/10/2020 7:38:58 AM	VIPP0120			Payroll - IPP	\$8.40		\$321.20
LEE	2/10/2020 7:38:58 AM	VIPP0120			Pre-Release Transaction		(\$8.40)	-----
LEE	2/5/2020 12:03:55 PM	33320036			Western Union	\$150.00		\$312.80
LEE	2/5/2020 12:03:55 PM	33320036			Pre-Release Transaction		(\$150.00)	-----
LEE	2/4/2020 7:04:55 AM	37			Sales	(\$0.85)		\$162.80
LEE	1/15/2020 2:23:45 PM	TL012020			Pre-Release Transaction		\$90.00	-----
Total Transactions: 122					Totals:	\$524.55	(\$505.85)	

## Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
LEE	\$19.35	\$668.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$688.20
Totals:	\$19.35	\$668.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$688.20

## Other Balances

National 6 Months Deposits	National 6 Months Withdrawals	Natioanl 6 Months Avg Daily Balance	Local Max Balance - Prev 30 Days	Average Balance - Prev 30 Days	Commissary Restriction Start Date	Commissary Restriction End Date
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		

