

20-6573

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

ORIGINAL

FILED

OCT 30 2020

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

ELLIS KEYES — PETITIONER  
(Your Name)

VS.

MATT WILSON,  
CITY OF FORT PAYNE, AL. — 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): MAY 20, 2019

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF KENTUCKY  
SOUTHERN DIVISION PIKEVILLE NO. 7:19-CV-41-REW

☐ 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.

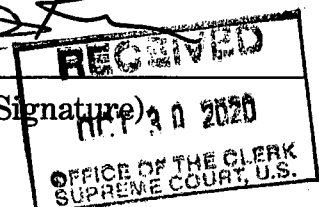
☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

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

\_\_\_\_\_, or

☐ a copy of the order of appointment is appended.

(Signature) [Signature]



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

I, ELLIS KEYES, 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>APPROXIMATELY</u>	\$ <u>50<sup>00</sup></u>	\$ <u>Ø</u>	\$ <u>50<sup>00</sup></u>	\$ <u>Ø</u>
Self-employment	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Income from real property (such as rental income)	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Interest and dividends	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Gifts	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Alimony	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Child Support	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>750<sup>00</sup></u> ↓	\$ <u>Ø</u>	\$ <u>750<sup>00</sup></u> ↓	\$ <u>Ø</u>
Disability (such as social security, insurance payments)	\$ <u>SAME</u>	\$ <u>Ø</u>	\$ <u>SAME</u>	\$ <u>Ø</u>
Unemployment payments	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Public-assistance (such as welfare)	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Other (specify): <u>NONE</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
<b>Total monthly income:</b>	\$ <u>800<sup>00</sup></u>	\$ <u>Ø</u>	\$ <u>800<sup>00</sup></u>	\$ <u>Ø</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
LAWRENCE MERCHANDISING	1405 XINIU M LANE N. #250	2006	\$ 50 <sup>00</sup> AVERAGE
PLYMOUTH, MIN 55441		THRU PRESENT	

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
NO SPOUSE		NOT APPLICABLE	\$
			\$

4. How much cash do you ~~and your spouse~~ <sup>EX</sup> have? \$ 60<sup>00</sup>  
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
CHECKING	\$ 200 <sup>00</sup>	\$ NOT APPLICABLE
	\$	\$

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

☒ Home  
Value \$1,200<sup>00</sup>

☐ Other real estate  
Value \_\_\_\_\_

☒ Motor Vehicle #1  
Year, make & model 2007 YARIS TOYOTA  
Value 0 RESALE VALUE

☐ Motor Vehicle #2  
Year, make & model N.A.  
Value \_\_\_\_\_

☒ Other assets  
Description 0  
Value NONE

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

NONE

\$ Ø

\$ NOT APPLICABLE

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

NONE

NOT

APPLICABLE

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)

\$ Ø

\$ N.A.

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

Utilities (electricity, heating fuel,  
water, sewer, and telephone)

\$ 50.00 ELECTRIC  
\$ 50.00 PHONE  
\$ Ø

\$

Home maintenance (repairs and upkeep)

\$ 50.00

\$

Food

\$ 200.00

\$

Clothing

\$ 25.00

\$

Laundry and dry-cleaning

\$ 25.00

\$

Medical and dental expenses

\$ 50.00

\$

	You	Your spouse
Transportation (not including motor vehicle payments) <u>FUEL</u>	\$ <u>300<sup>00</sup></u>	\$ <u>N.A.</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>Ø</u>	\$ <u>↑</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>Ø</u>	\$ <u>↑</u>
Life	\$ <u>Ø</u>	\$ <u>↑</u>
Health	\$ <u>50<sup>00</sup></u>	\$ <u>↑</u>
Motor Vehicle	\$ <u>50<sup>00</sup></u>	\$ <u>↑</u>
Other: <u>NONE</u>	\$ <u>Ø</u>	\$ <u>↑</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>SALES TAXES</u>	\$ <u>?</u>	\$ <u>↑</u>
Installment payments		
Motor Vehicle	\$ <u>Ø</u>	\$ <u>↑</u>
Credit card(s)	\$ <u>Ø</u>	\$ <u>↑</u>
Department store(s)	\$ <u>Ø</u>	\$ <u>↑</u>
Other: <u>NONE</u>	\$ <u>Ø</u>	\$ <u>↑</u>
Alimony, maintenance, and support paid to others	\$ <u>Ø</u>	\$ <u>↑</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>Ø</u>	\$ <u>↑</u>
Other (specify): <u>NONE</u>	\$ <u>Ø</u>	\$ <u>↑</u>
<b>Total monthly expenses:</b>	\$ <u>750<sup>00</sup></u>	\$ <u>↑</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 AM LOW INCOME.

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

Executed on: 10/12/2020, 2020



(Signature)

NO:  
IN THE SUPREME COURT OF THE UNITED STATES  
Ellis Keyes, Petitioner,  
versus  
Matt Wilson,  
City of Fort Payne, Alabama, Respondent.

AFFIDAVIT ACCOMPANYING MOTION  
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS

I affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on

this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. September 30, 2020

My issues on appeal are to prosecute this action seeking order for defendant to show cause why it should not be restrained from deadly force.

I estimate my net monthly income is about \$800.00 average monthly income during the

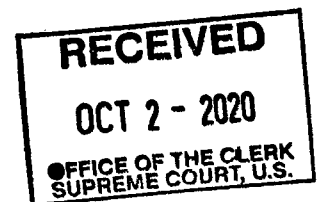
past 12 months and project next month employment of about \$100.00 Self-employment

\$00.00 Income from real property (such as rental income) \$00.00 Interest and dividends

\$00.00 Retirement (such as social security, pensions, annuities, insurance)

\$750. Disability social security) Unemployment payments \$00.00 Public assistance

(such as welfare) \$00.00 Other: \$00.00 Total monthly income: \$750.00.



2. Employment history for the past two years part time with Lawrence Merchandising, 1405 Xenium Lane N. Suite 250, Plymouth, MN 55441, earning monthly pay of about \$50.00.

3. I have cash on hand of about \$100.00. In bank about \$200.00. checking account. Assets, and their values, which I own is my home \$1,200.00 assessed value and a 2007 Toyota Yaris of zero resale value.

I cannot pay the docket fees for my appeal.

The city and state of my legal residence is Whitesburg, Kentucky. My daytime phone

number: (606) 821-9815. My age: 64 years old. I have more than 16 years of schooling.

## APPLICATION TO PROCEED IN U S SUPREME COURT

### WITHOUT PREPAYING FEES OR COSTS

Ellis Keyes, hereby certifies and declares under penalty of perjury that the following is true and correct:

1. I am the Appellant movant and plaintiff in this action. This proceeding is brought in good faith and it is my intention to proceed to a final order on the merits.
2. I have valid reasons for bringing this action and am entitled to relief.
3. I have no means or ability with which to pay any of the legal fees, Charges, costs, or disbursements necessary to commence and prosecute this action or with which to post security for same.



4. My household consists of myself. My income per month is about seven hundred fifty dollars (\$800.00) which is derived from Social security and part time employment with this income I have the following monthly expenses:

Phone -\$ 50.00, Utilities -\$ 50.00, Food -\$ 180.00, Transportation -\$400.00

Insurance -\$ 50.00, Laundry, \$ 20.00, Total \$ 750.00. Money I have in cash, checking, account is less than two thousand dollars.

5. I own an automobile worth zero resale value, real estate property of my home is assessed at \$1,200.00, with no stocks, bonds, security or trust. The only jewelry is my father's wedding band worn by me, not for sale, priceless. Assets consist of household furnishings of nominal value, clothing and personal effects.

6. Debts include medical bills to Mountain Comprehensive Health of about \$700.00 and cash loan from Cousin Jim Hall of \$200.00.

I have no income other than stated. I declare under penalty of perjury that the above information is true and understand that a false statement may result in dismissal of my claims. September 30th, 2020 at Whitesburg, Kentucky.

Respectfully

A handwritten signature in black ink, appearing to read 'Ellis Keyes', with a long horizontal flourish extending to the right.

Ellis Keyes, Propria Persona