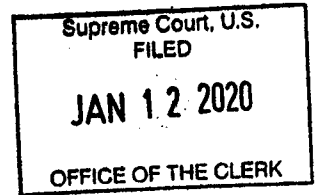


20-6939

No.

IN THE
SUPREME COURT OF THE UNITED STATES



Thomas NEVINS — PETITIONER
(Your Name)

VS.

Att'y. Gen. of New Jersey, et 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):

District Case Number: 1-17-CV-04587 AND UNITED STATES COURT
of Appeals for The Third Circuit CASE NUMBER: 20-1074

☐ 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.

Thomas Nevins
(Signature)

0002-08

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

I, THOMAS NEVIUS, 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.

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>N/A</u>	\$ _____	\$ _____	\$ _____
Self-employment	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Gifts	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Alimony	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Child Support	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ <u>N/A</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
New Jersey State Prison	P.O. Box 861 Trenton, N.J. 08625	2008 - Present	\$ 3.35 per Day
			\$
			\$

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.

☐ Home
Value _____

☐ Other real estate
Value _____

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

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

☐ Other assets
Description _____
Value _____

- N/A 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)

\$_____

\$_____

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

\$_____

\$_____

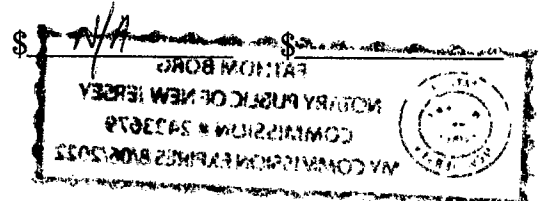
Medical and dental expenses

\$_____

\$_____

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

Total monthly expenses:



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? _____

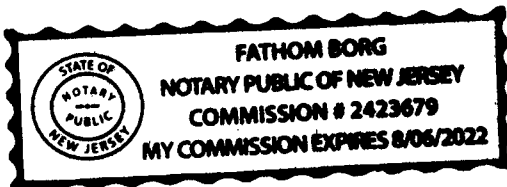
If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

The only information I can provide, is I have been jailed for the last seventeen years. I support myself through state pay from the jail. Also every now and again I receive money from my family, when they can.

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

Executed on: JANUARY 8, 2021



Fathom Borg

Sworn to and subscribed

8th before me this
day of Jan, 2021

[Signature]
(Signature)

12/10/2020 10:29

DEPARTMENT OF CORRECTIONS

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COIJAB2

NEW JERSEY STATE PRISON

OTRTASTA

TRUST ACCOUNT STATEMENT

STATEMENT DATE: 06/10/2020 - 12/10/2020

SBI #: 000201449C Name: NEVIUS, THOMAS DOB: 12/18/1978
 LOCATION: NJSP-WEST-6 LEFT-FLATS-CELL 48 INM# 605679
 PED: 01/07/2059 As of Date: 01/07/2059 Max Date: 01/07/2059

LOCATION	SUB ACCOUNT	BEGINNING BALANCE	ENDING BALANCE	HOLD
CRAF	2101 SPENDABLE	0.00	0.00	
NJSP	2101 SPENDABLE	955.85	1,032.21	

DEBTS AND LOANS SUMMARY

TYPE	PAYABLE	DATE CREATED/INSTITUTION	ORIGINAL AMOUNT	AMOUNT PAID	AMOUNT OWING	STATUS
COPL	LEGAL COPY LOAN	08/22/2011 @ NJSP	14.60	14.60	0.00	ACTIVE
RXL	PHARMACY LOAN	11/03/2008 @ NJSP	4.50	4.50	0.00	ACTIVE
LGLML	LEGAL MAIL LOAN	04/23/2008 @ NJSP	64.27	64.27	0.00	ACTIVE
DDL	DENTAL LOAN	07/30/2012 @ NJSP	10.00	10.00	0.00	ACTIVE
LGLML	LEGAL MAIL LOAN	04/16/2008 @ CRAF	5.53	5.53	0.00	ACTIVE

OBLIGATIONS SUMMARY

TYPE	PAYABLE	INFO / INDICTMENT #	ORIGINAL AMOUNT	AMOUNT PAID	AMOUNT OWING	STATUS
LEOTEF	LAW ENFOR. OFR. TRAIN. & EQUIP. FUND	04-10-00985-I	30.00	30.00	0.00	ACTIVE
CDRC	\$100 CRIMINAL DISP. AND REV. COLLECTION	04-10-00985-I	6.00	6.00	0.00	ACTIVE
VWAF	\$100 VICTIMS AND WITNESS ADVOCACY FUND	04-10-00985-I	50.00	50.00	0.00	ACTIVE
VCCB	\$100 VICTIMS OF CRIME COMPENSATION BOARD	04-10-00985-I	144.00	144.00	0.00	ACTIVE
SNSF	SAFE NEIGHBOURHOOD	04-10-00985-I	150.00	150.00	0.00	ACTIVE
TCF	TRANSACTION COLLECTION FEE	04142008 @NJSP		18.50	UNLIMITED	ACTIVE
TCF	TRANSACTION COLLECTION FEE	04112008 @CRAF		0.00	UNLIMITED	ACTIVE

TRANSACTION DESCRIPTIONS 2101 SPENDABLE SUB ACCOUNT

DATE	LOCATION	TYPE	TRANSACTION DESCRIPTION	TRANSACTION AMT	BALANCE
			BEGINNING BALANCE:		955.85
06/12/2020	NJSP	CRS	COMMISSARY SALE - ORD #9975566	(58.63)	897.22
06/17/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	887.22
06/19/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	877.22
06/22/2020	NJSP	CRS	COMMISSARY SALE - ORD #9980594	(50.50)	826.72
06/25/2020	NJSP	POS	POSTAGE-VANESSA POTKIN ESQ	(0.55)	826.17
06/25/2020	NJSP	POS	POSTAGE-LESLEY C RISNGER DIRECTOR	(0.55)	825.62
06/25/2020	NJSP	POS	POSTAGE-STEPHEN C SAYER	(1.15)	824.47
06/25/2020	NJSP	POS	POSTAGE-PATRICIA S DODSZUWEIT CLERK	(1.60)	822.87
06/26/2020	NJSP	JPAY	AUTOPAYMENT: JPAY SETOFF_CODE:118160448	40.00	862.87

COIJAB2

NEW JERSEY STATE PRISON

OTRTASTA

TRUST ACCOUNT STATEMENT

STATEMENT DATE: 06/10/2020 - 12/10/2020

SBI #: 000201449C

Name: NEVIUS, THOMAS

DOB: 12/18/1978

LOCATION: NJSP-WEST-6 LEFT-FLATS-CELL 48

INM#: 605679

TRANSACTION DESCRIPTIONS 2101 SPENDABLE SUB ACCOUNT

DATE	LOCATION	TYPE	TRANSACTION DESCRIPTION	TRANSACTION AMT	BALANCE
06/26/2020	NJSP	POS	POSTAGE-VANESSA POTKIN ESQ	(1.75)	861.12
07/07/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	851.12
07/07/2020	NJSP	CRS	COMMISSARY SALE - ORD #9997094	(58.74)	792.38
07/10/2020	NJSP	JPAY	AUTOPAYMENT: JPAY SETOFF_CODE:118818361	50.00	842.38
07/10/2020	NJSP	DED	\$15 DEDUCTION-DISCRETIONARY SPENDING RESERVE PER 10A.	(15.00)	827.38
07/10/2020	NJSP	ADD	\$15 DEDUCTION-DISCRETIONARY SPENDING RETURN PER 10A.	15.00	842.38
07/16/2020	NJSP	FPAY	05C /PAY SK T/FPAY /RG:2 30 @3.35 06/01/2020-06/30/2020	100.50	942.88
07/20/2020	NJSP	CRS	COMMISSARY SALE - ORD #10009062	(92.69)	850.19
07/29/2020	NJSP	POS	POSTAGE-FREDRICK T WORK ESQ	(0.55)	849.64
08/03/2020	NJSP	CRS	COMMISSARY SALE - ORD #10022956	(32.26)	817.38
08/07/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	807.38
08/11/2020	NJSP	FPAY	05C /PAY SK T/FPAY /RG:2 31 @3.35 07/01/2020-07/31/2020	103.85	911.23
08/11/2020	NJSP	DED	\$15 DEDUCTION-DISCRETIONARY SPENDING RESERVE PER 10A.	(15.00)	896.23
08/11/2020	NJSP	ADD	\$15 DEDUCTION-DISCRETIONARY SPENDING RETURN PER 10A.	15.00	911.23
08/13/2020	NJSP	JPAY	AUTOPAYMENT: JPAY SETOFF_CODE:120311871	50.00	961.23
08/19/2020	NJSP	CRS	COMMISSARY SALE - ORD #10042680	(83.55)	877.68
08/24/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	867.68
08/25/2020	NJSP	POS	POSTAGE-INNOCENT PROGRAM	(0.55)	867.13
08/31/2020	NJSP	POS	POSTAGE LEGAL MAIL TO INNOCENT PROGRAM	(0.55)	866.58
09/02/2020	NJSP	JPAY	AUTOPAYMENT: JPAY SETOFF_CODE:121134990	50.00	916.58
09/02/2020	NJSP	DED	\$15 DEDUCTION-DISCRETIONARY SPENDING RESERVE PER 10A.	(15.00)	901.58
09/02/2020	NJSP	ADD	\$15 DEDUCTION-DISCRETIONARY SPENDING RETURN PER 10A.	15.00	916.58
09/08/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	906.58
09/09/2020	NJSP	FPAY	05C /PAY SK T/FPAY /RG:2 31 @3.35 08/01/2020-08/31/2020	103.85	1,010.43
09/11/2020	NJSP	CRS	COMMISSARY SALE - ORD #10062613	(47.63)	962.80
09/23/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	952.80
09/23/2020	NJSP	CRS	COMMISSARY SALE - ORD #10072772	(46.54)	906.26
09/29/2020	NJSP	POS	POSTAGE-CENTURION MINITRIES	(0.55)	905.71
10/02/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	895.71
10/07/2020	NJSP	CRS	COMMISSARY SALE - ORD #10085076	(37.98)	857.73
10/08/2020	NJSP	JPAY	AUTOPAYMENT: JPAY SETOFF_CODE:122583771	40.00	897.73
10/08/2020	NJSP	DED	\$15 DEDUCTION-DISCRETIONARY SPENDING RESERVE PER 10A.	(15.00)	882.73
10/08/2020	NJSP	ADD	\$15 DEDUCTION-DISCRETIONARY SPENDING RETURN PER 10A.	15.00	897.73
10/09/2020	NJSP	POS	POSTAGE- DEPT OF TREASURY	0.00	897.73
10/13/2020	NJSP	JPAY	AUTOPAYMENT: JPAY SETOFF_CODE:122785251	44.00	941.73
10/14/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	931.73

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DEPARTMENT OF CORRECTIONS

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NEW JERSEY STATE PRISON

OTRTASTA

TRUST ACCOUNT STATEMENT

STATEMENT DATE: 06/10/2020 - 12/10/2020

SBI #: 000201449C

Name: NEVIUS, THOMAS

DOB: 12/18/1978

LOCATION: NJSP-WEST-6 ~~LEFT-FLATS~~-CELL 48

INM# 605679

TRANSACTION DESCRIPTIONS 2101 SPENDABLE SUB ACCOUNT

DATE	LOCATION	TYPE	TRANSACTION DESCRIPTION	TRANSACTION AMT	BALANCE
10/14/2020	NJSP	POS	POSTAGE DEPTOF TREASURY IRS	0.00	931.73
10/15/2020	NJSP	FPAY	05C /PAY SK T/FPAY /RG:2 30 @3.35 09/01/2020-09/30/2020	100.50	1,032.23
10/16/2020	NJSP	COP	6 MONTH STATEMENT	(0.30)	1,031.93
10/19/2020	NJSP	CRS	COMMISSARY SALE - ORD #10095321	(64.74)	967.19
10/23/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	957.19
10/24/2020	NJSP	JPAY	AUTOPAYMENT: JPAY SETOFF_CODE:123165854	42.00	999.19
11/05/2020	NJSP	CRS	COMMISSARY SALE - ORD #10111033	(81.66)	917.53
11/06/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	907.53
11/12/2020	NJSP	FPAY	05C /PAY SK T/FPAY /RG:2 31 @3.35 10/01/2020-10/31/2020	103.85	1,011.38
11/12/2020	NJSP	DED	\$15 DEDUCTION-DISCRETIONARY SPENDING RESERVE PER 10A.	(15.00)	996.38
11/12/2020	NJSP	ADD	\$15 DEDUCTION-DISCRETIONARY SPENDING RETURN PER 10A.	15.00	1,011.38
11/12/2020	NJSP	POS	POSTAGE-STEPHEN C JAYER	(1.30)	1,010.08
11/12/2020	NJSP	POS	POSTAGE-OFFICE OF CLERK SUPREME COURT	(1.60)	1,008.48
11/13/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	998.48
11/17/2020	NJSP	COP	REQUESTED LEGAL GTL 1/2008-12/2016	(3.00)	995.48
11/19/2020	NJSP	CRS	COMMISSARY SALE - ORD #10123885	(69.87)	925.61
11/23/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	915.61
11/27/2020	NJSP	JPAY	AUTOPAYMENT: JPAY SETOFF_CODE:124503824	100.00	1,015.61
12/01/2020	NJSP	GTL	GTL - PHONE DEBIT PURCHASE	(10.00)	1,005.61
12/02/2020	NJSP	POS	POSTAGE-JAMES V GTL ADMIN	(1.75)	1,003.86
12/07/2020	NJSP	CEC	COMMISSARY RETURN - ORD #10123885	5.75	1,009.61
12/08/2020	NJSP	FPAY	05C /PAY SK T/FPAY /RG:2 30 @3.35 11/01/2020-11/30/2020	100.50	1,110.11
12/08/2020	NJSP	DED	\$15 DEDUCTION-DISCRETIONARY SPENDING RESERVE PER 10A.	(15.00)	1,095.11
12/08/2020	NJSP	ADD	\$15 DEDUCTION-DISCRETIONARY SPENDING RETURN PER 10A.	15.00	1,110.11
12/09/2020	NJSP	CRS	COMMISSARY SALE - ORD #10140765	(77.90)	1,032.21

