

20-7329  
No.

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
JAN 09 2021  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

JUSTIN L. KNIGHT.

**Petitioner,**

Y

**STATE OF NEBRASKA.**

### **Respondent.**

ON PETITION FOR A WRIT OF CERTIORARI  
TO THE NEBRASKA COURT OF APPEALS

**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

Justin L. Knight #89125  
Nebraska State Penitentiary  
P.O. Box 22500  
Lincoln, Nebraska 68542-2500  
(402) 471-3161

**PRO SE PETITIONER**

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**SUPREME COURT, U.S.**

IN THE  
SUPREME COURT OF THE UNITED STATES

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MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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Pursuant to Rule 39 of this Court, Petitioner Justin L. Knight moves for leave to file the accompanying Petition for Writ of Certiorari to the Nebraska Court of Appeals, without prepayment of fees or costs or giving security therefore, and to proceed in forma pauperis.

1. Petitioner sought and obtained leave to proceed with appeal in forma pauperis by the district court of Scotts Bluff County, Nebraska on March 15, 2019 (T157-159).
2. Petitioner's affidavit or declaration in support of this motion is attached hereto.

CONCLUSION

Petitioner Justin L. Knight respectfully requests leave to proceed in forma pauperis.

Respectfully submitted,



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Justin L. Knight # 89125  
Nebraska State Penitentiary  
P.O. Box 22500  
Lincoln, Nebraska 68542-2500  
(402) 471-3161

PRO SE PETITIONER

January 09, 2021

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

I, Justin L. Knight, 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.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
Employment	\$ <u>25.00</u>	\$ <u>N/A</u>	\$ <u>25.00</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Gifts	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Alimony	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Child Support	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Other (specify): <u>None</u>	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
<b>Total monthly income:</b>	\$ <u>25.00</u>	\$ <u>N/A</u>	\$ <u>25.00</u>	\$ <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.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
<u>Inmate Porter -</u>	<u>4201 S. 14th St.</u>	<u>2019</u>	<u>\$ 25.00</u>
<u>Nebraska Dept.</u>	<u>Lincoln, NE</u>	<u>through</u>	<u>\$</u>
<u>of Corrections</u>	<u>68502</u>	<u>Present</u>	<u>\$</u>

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.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ N/A</u>
			<u>\$</u>
			<u>\$</u>

4. How much cash do you and your spouse have? \$ 0.00  
 Below, state any money you or your spouse have in bank accounts or in any other financial institution.

<b>Type of account (e.g., checking or savings)</b>	<b>Amount you have</b>	<b>Amount your spouse has</b>
<u>None</u>	<u>N/A</u>	<u>\$ N/A</u>
	<u>\$ 0.00</u>	
	<u>\$</u>	<u>\$</u>
	<u>\$</u>	<u>\$</u>

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

Home N/A  
 Value None

Other real estate N/A  
 Value None

Motor Vehicle #1 N/A  
 Year, make & model None  
 Value None

Motor Vehicle #2 N/A  
 Year, make & model None  
 Value None

Other assets N/A  
 Description None  
 Value None

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

<b>Person owing you or your spouse money</b>	<b>Amount owed to you</b>	<b>Amount owed to your spouse</b>
None	\$ 0.00	\$ N/A
None	\$ 0.00	\$ N/A
None	\$ 0.00	\$ N/A

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

<b>Name</b>	<b>Relationship</b>	<b>Age</b>
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.

	<b>You</b>	<b>Your spouse</b>
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 0.00	\$ N/A
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No N/A		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No N/A		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0.00	\$ N/A
Home maintenance (repairs and upkeep)	\$ 0.00	\$ N/A
Food	\$ 0.00	\$ N/A
Clothing	\$ 0.00	\$ N/A
Laundry and dry-cleaning	\$ 0.00	\$ N/A
Medical and dental expenses	\$ 0.00	\$ N/A

	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ 0.00	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 0.00	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0.00	\$ N/A
Life	\$ 0.00	\$ N/A
Health	\$ 0.00	\$ N/A
Motor Vehicle	\$ 0.00	\$ N/A
Other: <u>None</u>	\$ 0.00	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>None</u>	\$ 0.00	\$ N/A
Installment payments		
Motor Vehicle	\$ 0.00	\$ N/A
Credit card(s)	\$ 0.00	\$ N/A
Department store(s)	\$ 0.00	\$ N/A
Other: <u>None</u>	\$ 0.00	\$ N/A
Alimony, maintenance, and support paid to others	\$ 0.00	\$ N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0.00	\$ N/A
Other (specify): <u>Hygiene, Postage/Copies, &amp; Inmate Calling time.</u>	\$ 100.00	\$ N/A
<b>Total monthly expenses:</b>	<b>\$ 100.00</b>	<b>\$ N/A</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? \_\_\_\_\_

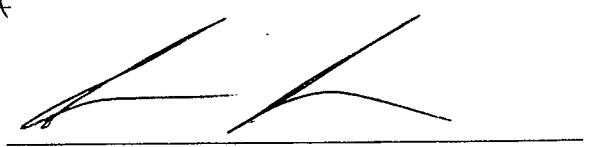
If yes, state the person's name, address, and telephone number:

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

Petitioner Justin L. Knight is currently incarcerated at the Nebraska State Penitentiary with a tentative release date of 2029. Petitioner's only income is from his prison job which amounts to only \$25.00 per month, and he supports a household of one (1). Petitioner's living expenses wholly absorbs his income, and he has no assets that can be liquidated.

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

Executed on: Jan 9<sup>th</sup>, 2021



(Signature)