

ORIGINAL

No. 4

20-7331

FILED

JAN 26 2021

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

KEVIN martin — PETITIONER  
(Your Name)

VS.

Richard Brown Esq. — 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):

Both court (1) district court and (2) seventh  
circuit deny martin to proceed in Forma pauperis

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

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: *NA*

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

a copy of the order of appointment is appended. *NA*

JK \_\_\_\_\_

(Signature)

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

I, KEVIN martin, 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>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Self-employment	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Income from real property (such as rental income)	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Interest and dividends	\$ <u>11</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>11</u>
Gifts	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Alimony	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Child Support	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Disability (such as social security, insurance payments)	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Unemployment payments	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Public-assistance (such as welfare)	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
Other (specify): <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
<b>Total monthly income:</b>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>

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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
NA	NA	NA	\$ NA
NA	NA	NA	\$ NA
NA	NA	NA	\$ NA

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
NA	NA	NA	\$ NA
NA	NA	NA	\$ NA
NA	NA	NA	\$ NA

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
NA	\$ NA	\$ NA
NA	\$ NA	\$ NA
NA	\$ NA	\$ NA

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

Home  
 Value NA

Other real estate  
 Value NA

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

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

Other assets  
 Description NA  
 Value NA



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
NA	\$ NA	\$ NA
NA	\$ NA	\$ NA
NA	\$ NA	\$ NA

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
NA	NA	NA
NA	NA	NA
NA	NA	NA

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)	\$ NA	\$ NA
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)	\$ NA	\$ NA
Home maintenance (repairs and upkeep)	\$ NA	\$ NA
Food	\$ NA	\$ NA
Clothing	\$ NA	\$ NA
Laundry and dry-cleaning	\$ NA	\$ NA
Medical and dental expenses	\$ NA	\$ NA

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>74</u>	\$ <u>74</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>74</u>	\$ <u>74</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>74</u>	\$ <u>74</u>
Life	\$ <u>74</u>	\$ <u>74</u>
Health	\$ <u>74</u>	\$ <u>74</u>
Motor Vehicle	\$ <u>74</u>	\$ <u>74</u>
Other: <u>74</u>	\$ <u>74</u>	\$ <u>74</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>74</u>	\$ <u>74</u>	\$ <u>74</u>
Installment payments		
Motor Vehicle	\$ <u>74</u>	\$ <u>74</u>
Credit card(s)	\$ <u>74</u>	\$ <u>74</u>
Department store(s)	\$ <u>74</u>	\$ <u>74</u>
Other: <u>74</u>	\$ <u>74</u>	\$ <u>74</u>
Alimony, maintenance, and support paid to others	\$ <u>74</u>	\$ <u>74</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>74</u>	\$ <u>74</u>
Other (specify): <u>74</u>	\$ <u>74</u>	\$ <u>74</u>
<b>Total monthly expenses:</b>	<b>\$ <u>74</u></b>	<b>\$ <u>74</u></b>

74 74 74

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months? *Attached*

Yes  No If yes, describe on an attached sheet.

*NA*

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? *NA*

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

*NA*

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? *NA*

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

*NA*

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

*man is a poor man but my Federal right  
been violation under 14-amendment sixth amendment  
to unfair trial because the state cheated.*

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

Executed on: *Feb 22*, 2021

*IC*  
(Signature)

*49*

no," USCA 7 - no 2015-18-20-1722

IN THE  
SUPREME COURT OF THE UNITED STATES

KEVIN L. MARTIN # 169789  
Petitioner

cause

✓  
Richard Brown et al  
Respondents

Declaration of KEVIN MARTIN, "In support  
of motion, To proceed in forma pauperis

KEVIN L. MARTIN to U.S. 1746 DECLARATIONS  
AS FOLLOWS.

(1) Do Black life matters in the court  
system deal with Fair, procedures under  
14 Amendment Equal protection apply if  
Martin fundamental right are examined  
in the substantive due process whether  
the government must waive such fee's  
for indigent's depends on the nature of  
the right involved.

(2) good cause, fee this court to  
affection Martin was wrongfull conviction  
by system who took advantage of  
Martin incompetency because Martin  
do not understand the procedures

## PENDLETON CORRECTIONAL FACILITY

Pendleton, Indiana

State Form 8532

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

NAME: \_\_\_\_\_

20 \_\_\_\_\_

but must do his best to explain the  
injustice he been harm by conspiracy between  
trial and appellate counsel and state judge if  
martin is tried and convicted but if later  
appears he was incompetent to stand trial, the  
judge's failure to raise the issue or to  
request a determination of competency does  
not constitute a "waiver see pate v robinson  
383 US 375 1966.)

(3) martin notes A relief can be grant just  
like upon grant of certiorari to review  
Louisiana court of appeal denial of state  
post-conviction relief to non-capital prisoner  
SEE Smith v Louisiana 564 US (04-2011)  
Court held that prosecution committed Brady  
error by failing to turn-over detective note's  
containing statements by eyewitness that he  
could not identify perpetrator and could  
give only very general description prejudice  
prong of this if this court deny motion  
of petitioner for leave to proceed granted  
if deny martin justice, HERE,

(4) PROOF OF SERVICE with to Address  
(1) Attorney General court Hill 302 west  
Washington st Indianapolis IN 46204

(2) Attorney General United State Atty General  
8116 Department of Justice 950 Pennsylvania  
AVE Washington DC 20530

( ) 5/

## PENDLETON CORRECTIONAL FACILITY

Pendleton, Indiana

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

NAME: \_\_\_\_\_

20

(3) Deputy solicitor general of the United States 5616 Department of Justice  
950 Pennsylvania Ave NW Washington DC  
20530-0001

(5) This may REACH Martin case on the merit of a procedurally barred claim only if Martin can show either cause for the default and prejudice from the alleged violation of federal law and Martin was innocent is why the prosecutor introduced McFadden as the person who open the door for the victim was false evidence had a McFadden testify falsely and stood by silently while McFadden lied on the stand and Martin can show a pattern of abuse HERE with any Wolfenberger, lied on the stand about him fast the projectile in this case not true SEE  
Giglio v US 405 US 150 1972  
or Napue v Illinois 360 US 264 1957) might apply

Martin notes cause must be something external to the petition something that cannot easily be attributed to Martin SEE Coleman v Thompson 501 US 722, 750 (1991) THE prison staff lost Martin document mail transcripts and record he obtain by use public record act (PRA) Indiana code 5-14-3-1 if see excuse why Martin could (REDACTED) (REDACTED) 82

## PENDLETON CORRECTIONAL FACILITY

Pendleton, Indiana

State Form 8532

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

NAME: \_\_\_\_\_

20 \_\_\_\_\_

inquire into ISSUE of his post conviction  
hearing SEE App page-23-) dkt 47)  
relevant in part because martin show  
all the cause why he should be EXCUSED  
to move further in this procedure.

(6) martin AFFIRMS he have Arthritis  
in his right hand that his write hand  
my hand lock up health problem and  
going blank in his LEFT eye make  
it hard to SEE and reading and this  
interference with martin access to  
the court. SEE Kevin martin v  
doctor Byrd et al 219-cv-00552-jms  
DIP-1) deprive martin of First and  
14. Amendment Equal-protection SEE  
Edmonson v Leaville concrete co Inc  
860 F 2d 1308 5th cir 1988) the  
principle of Equal protection applies  
to governmental action in civil as  
well as criminal actions.

RESPECTFULLY submit  
I AFFIRM under the penalties for  
perjury that the foregoing representations  
ARE TRUE?

Feb 22

DATE [REDACTED] 2021

Kevin martin  
name print  
Km \_\_\_\_\_

Sight.

(REDACTED) (REDACTED) 53