

No. 20-7567

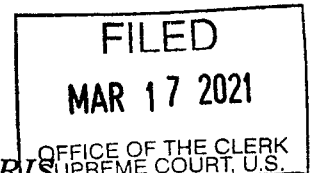
IN THE  
SUPREME COURT OF THE UNITED STATES

BRENT DOUGLAS COLE — PETITIONER  
(Your Name)

ORIGINAL

VS.

UNITED STATES OF AMERICA — 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): UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA, NO. 2:14-cr-00269-GEB (Now WBS-DB); The UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, NO. 19-10019; and the SUPREME COURT OF THE UNITED STATES, Nos. 16-5966, 18-5579, 18-6283, and 19-8148

☐ 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: (CJA) 18 U.S.C. § 3006A, Criminal Justice Act in appeal no. 15-10459, ~~or~~ and

☒ a copy of the order of appointment is appended. ECF 7, filed 10/01/2014 in No. 2:14-mj-0212-EFB changed to No. 2:14-cr-00269  
Order and Docket Sheet are attached.

DATE: March 3, 2021

Brent D. Cole

(Signature)

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRENT DOUGLAS COLE,

Defendant.

Case No:2:14-mj-0212 EFB

**ORDER  
APPOINTING COUNSEL**

The defendant has, under oath, sworn or affirmed as to his financial inability to employ counsel.

OFFENSE: 18 USC § 111(a)(1) and (b)

CJA Panel attorney J. Toney is hereby appointed effective September 29, 2014, the date the Office of the Federal Defender first contacted him.

**APPOINTED COUNSEL IS ORDERED TO RETAIN THE SIGNED *FINANCIAL AFFIDAVIT*  
SUPPORTING APPOINTMENT.**

DATED: September 30, 2014

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE

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

I, BRENT DOUGLAS COLE, 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>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
Income from real property (such as rental income)	\$ <u>0.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
Interest and dividends	\$ <u>0.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
Gifts	\$ <u>0.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
Alimony	\$ <u>0.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
Child Support	\$ <u>0.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
Disability (such as social security, insurance payments)	\$ <u>0.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
Unemployment payments	\$ <u>0.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
Public-assistance (such as welfare)	\$ <u>0.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
Other (specify): <u>recovered</u> <u>from warrantless seizure on</u> <u>June 14, 2014</u>	\$ <u>137.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </u>
<b>Total monthly income:</b>	\$ <u>137.00</u>	\$ <u>          </u>	\$ <u>0.00</u>	\$ <u>          </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
<u>N/A 2019</u>	<u>FCL Oxford, WI</u>	<u>N/A</u>	<u>\$ 0.00 N/A</u>
<u>N/A 2020</u>	<u>FCL Sandstone, MN</u>	<u>N/A</u>	<u>\$ N/A</u>
<u>N/A 2021</u>	<u>" " "</u>	<u>N/A</u>	<u>\$ N/A</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.)

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

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
<u>Prison Trust Account</u>	<u>\$ 1075.00</u>	<u>\$ N/A</u>
<u>[No other accounts or assets] N/A</u>	<u>\$ N/A</u>	<u>\$ N/A</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  
Value N/A

☐ Other real estate  
Value N/A

☐ Motor Vehicle #1  
Year, make & model N/A  
Value  

☐ Motor Vehicle #2  
Year, make & model N/A  
Value  

☐ Other assets  
Description None N/A  
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
<u>No one -- N/A</u>	\$ <u>0.00 N/A</u>	\$ <u>No spouse N/A</u>
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>

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
<u>No one -- N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

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)	<u>N/A</u>	\$ <u>0.00</u>	\$ <u>No spouse N/A</u>
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)	<u>N/A</u>	\$	\$
Home maintenance (repairs and upkeep)	<u>N/A</u>	\$	\$
Food	<u>N/A</u>	\$	\$
Clothing	<u>N/A</u>	\$	\$
Laundry and dry-cleaning	<u>N/A</u>	\$	\$
Medical and dental expenses	<u>N/A</u>	\$	\$

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0.00 N/A</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0.00 N/A</u>	\$ <u>1</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>N/A</u>	\$ <u></u>
Life	\$ <u>N/A</u>	\$ <u></u>
Health	\$ <u>N/A</u>	\$ <u></u>
Motor Vehicle	\$ <u>N/A</u>	\$ <u></u>
Other: <u>N/A</u>	\$ <u>N/A</u>	\$ <u></u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u></u>	\$ <u>N/A</u>	\$ <u></u>
Installment payments		
Motor Vehicle	\$ <u>N/A</u>	\$ <u></u>
Credit card(s)	\$ <u>N/A</u>	\$ <u></u>
Department store(s)	\$ <u>N/A</u>	\$ <u></u>
Other: <u>N/A</u>	\$ <u>N/A</u>	\$ <u></u>
Alimony, maintenance, and support paid to others	\$ <u>N/A</u>	\$ <u></u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>N/A</u>	\$ <u></u>
Other (specify): <u>N/A</u>	\$ <u>N/A</u>	\$ <u></u>
<b>Total monthly expenses:</b> <u>stamps, paper, supplies for legal work</u>	\$ <u>50/month estimated</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? It varies 2020 - \$80.00

If yes, state the <sup>Company</sup> person's name, address, and telephone number:

Federal Research Group Inc. Email: documents@research  
9100 South Dadeland Blvd., Suite #1500 2855.com  
Miami, FL 33156 Phone (305) 242-0770

12. Provide any other information that will help explain why you cannot pay the costs of this case.  
I have been incarcerated for over six (6) years for an alleged crime that  
never actually occurred. I have no assets because everything I owned  
was seized without a warrant, and all of my retirement was stolen by  
corporate raiders. I have no income from any source and no assets.

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

Executed on: March 3, \_\_\_\_\_, 2021

Brent D. Cole

(Signature)