

20-8131

ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

BRENT LANG - PETITIONER,

VS.

ERICA HUSS - RESPONDENT.

FILED  
MAR 05 2021

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

On Petitioner for Writ of Certiorari to the  
United States Court of Appeals  
For the Sixth Circuit

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS  
ON PETITIONER FOR WRIT OF CERTIORARI  
WITH SUPPORTING DECLARATION

NOW COMES, Brent Lang, Petitioner in pro se, and respectfully asks this Honorable Court, pursuant to Supreme Court Rule 39(1), for leave to proceed in forma pauperis so that he may file the accompanying Petitioner for Writ of Certiorari with this Court.

Petitioner states that he is unable to pay the costs of these proceedings and that he is entitled to the relief sought in the petition.

1. I am currently incarcerated in the State of Michigan in the Department of Corrections, and I am being housed at the Marquette Branch Prison, located at: 1960 U.S. Hwy. 41 South, Marquette, Michigan 49855.

2. That at the present time, I do have a prison job and my monthly pay is around \$18<sup>00</sup>. Further, I am attaching a copy of my prisoner account statement as verification of my indigence.

3. In the past 12 months, I have not gotten any money from a business, rent, pensions, disabilities, worker comp or inheritances. I do receive a small monetary gift from family and friends when they can afford to do so.

4. At the present time I have \$72.81 in my prisoner account. (See Attached Statement).

5. I do not own any real estate, stocks, bonds, securities, or any other financial instruments, nor do I own anything that could be liquidated or sold for monies.

6. I do not have any persons that depend upon me to support them.

I, Brent Lang, pursuant to 28 U.S.C. § 1746, declare that the forgoing is true and correct and will testify to such in a court of law.

Executed on: 3-5-21

Brent Lang  
Brent Lang  
Declarant

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

I, Brent Lang, 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>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0</u> <small>around</small>	\$ <u>N/A</u>	\$ <u>0</u> <small>around</small>	\$ <u>N/A</u>
Gifts	\$ <u>20<sup>00</sup></u>	\$ <u>N/A</u>	\$ <u>20<sup>00</sup></u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Child Support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): <u>Prison Job</u>	\$ <u>around 18<sup>00</sup></u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
<b>Total monthly income:</b>	<u>around 42<sup>15</sup></u>	\$ <u>N/A</u>	<u>around 42<sup>15</sup></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.)

Employer	Address	Dates of Employment	Gross monthly pay
Prison	1960 US Hwy 41 South	2 years	around \$ 18 <sup>30</sup>
N/A	None	N/A	\$ 0
N/A	None	N/A	\$ 0

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
None	None	None	\$ 0
None	None	None	\$ 0
None	None	None	\$ 0

4. How much cash do you and your spouse have? \$ 1186 \$ 72.81

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
Prison Account	\$ 1186 \$ 72.81	\$ N/A
	\$ N/A	\$ N/A
	\$ N/A	\$ N/A

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

Home  
Value None

Other real estate  
Value None

Motor Vehicle #1  
Year, make & model None  
Value 0

Motor Vehicle #2  
Year, make & model None  
Value 0

Other assets  
Description None  
Value 0

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	\$ 0	\$ 0
None	\$ 0	\$ 0
None	\$ 0	\$ 0

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	N/A	N/A
None	N/A	N/A
None	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.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 0	\$ 0
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$ 0
Home maintenance (repairs and upkeep)	\$ 0	\$ 0
Food	\$ 0	\$ 0
Clothing	\$ 0	\$ 0
Laundry and dry-cleaning	\$ 0	\$ 0
Medical and dental expenses	\$ 0	\$ 0

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0	\$ 0
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 0
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ 0
Life	\$ 0	\$ 0
Health	\$ 0	\$ 0
Motor Vehicle	\$ 0	\$ 0
Other: <u>None</u>	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>None</u>	\$ 0	\$ 0
Installment payments		
Motor Vehicle	\$ 0	\$ 0
Credit card(s)	\$ 0	\$ 0
Department store(s)	\$ 0	\$ 0
Other: <u>Court Costs \$1041.48 / Paid off (50% of anything over \$50 - ea month)</u>	\$ 0	\$ 0
Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)		
Other (specify): <u>None</u>	\$ 0	\$ 0
<b>Total monthly expenses:</b>	<b>\$ 0</b>	<b>\$ 0</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.

N/A

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? N/A

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

N/A

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? # 30 00

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

Troy Hite  
1960 US Hwy 41 South  
Marquette, MI 49855 (No Phone Number)

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

I am a prisoner with very limited monies, as indicated  
by my attached account sheet.

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

Executed on: 5-16-21, 2021

Brent Long  
(Signature)