

20-8163

CERTIFICATE

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

MAY 21 2021

OFFICE OF THE CLERK

DAVID C. PATKINS,

— PETITIONER

(Your Name)

VS.

REBECCA PIANTINI,

— 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, NORTHERN DISTRICT OF
CALIFORNIA

☐ 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.

Del 14

(Signature)

RECEIVED

MAY 27 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, DAVID C. PATKINS, 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</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</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
INCARCERATED			\$ <u>Ø</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
N/A			\$
			\$
			\$

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

Financial institution	Type of account	Amount you have	Amount your spouse has
NONE		\$ <u>Ø</u>	\$
		\$	\$
		\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings. NONE.

☐ Home
Value _____

☐ Other real estate
Value _____

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

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

☐ Other assets
Description _____
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

NONE

Amount owed to you

\$ 0

Amount owed to your spouse

\$ N/A

\$

\$

\$

\$

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

Name

Relationship

Age

NONE

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

\$ N/A

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
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u></u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u></u>	\$ <u></u>
Life	\$ <u></u>	\$ <u></u>
Health	\$ <u></u>	\$ <u></u>
Motor Vehicle	\$ <u>0</u>	\$ <u></u>
Other: _____	\$ <u></u>	\$ <u></u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ <u></u>
Installment payments		
Motor Vehicle	\$ <u></u>	\$ <u></u>
Credit card(s)	\$ <u></u>	\$ <u></u>
Department store(s)	\$ <u></u>	\$ <u></u>
Other: _____	\$ <u></u>	\$ <u></u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u></u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u></u>
Other (specify): <u>RESTITUTION</u>	\$ <u>19,541.10</u>	\$ <u>0</u>
Total monthly expenses:	\$ <u>19,541.10</u>	\$ <u>N/A</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? _____

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.

ATTACHED COPY OF INCARCERATED, GENERATED FEES
AND RESTITUTION

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

Executed on: 5.20, 2021



(Signature)

Institution: CTF

Inmate Statement Report

CDCR#	Inmate/Group Name	Institution	Unit	Cell/Bed
T73612	PATKINS, DAVID	CTF	B SH A3	322001

Current Available Balance: \$0.00

Transaction List

Transaction Date	Institution	Transaction Type	Source Doc#	Receipt#/Check#	Amount	Account Balance
01/01/2021	CTF	BEGINNING BALANCE				\$1,211.71
01/01/2021	CTF	PLRA	CV-00674-JLT	996968	(\$1.56)	\$1,210.15
01/07/2021	CTF	SALES	27		(\$8.25)	\$1,201.90
01/26/2021	CTF	SPO WITHDRAWAL	PPAID1/26/21ACCE SS	997231	(\$405.00)	\$796.90
01/26/2021	CTF	IWF FEE	PPAID1/26/21ACCE SS		(\$45.00)	\$751.90
02/02/2021	CTF	COPY CHARGES	STATEMENT 2/2/21		(\$0.12)	\$751.78
02/05/2021	CTF	SALES	57		(\$16.60)	\$735.18
02/08/2021	CTF	LEGAL MAIL	L MAIL 2/8/21		(\$2.40)	\$732.78
02/08/2021	CTF	LEGAL MAIL	L MAIL 2/8/21		(\$2.40)	\$730.38
02/08/2021	CTF	LEGAL MAIL	L MAIL 2/8/21		(\$2.40)	\$727.98
02/08/2021	CTF	LEGAL MAIL	L MAIL 2/8/21		(\$9.05)	\$718.93
02/08/2021	CTF	LEGAL MAIL	L MAIL 2/8/21		(\$9.05)	\$709.88
02/12/2021	CTF	LEGAL COPY	L COPY 2/12/21		(\$0.50)	\$709.38
02/16/2021	CTF	SPO WITHDRAWAL	1STQTR2/16/21ACC ESS	997505	(\$636.25)	\$73.13
02/16/2021	CTF	IWF FEE	1STQTR2/16/21ACC ESS		(\$63.63)	\$9.50
02/17/2021	CTF	LEGAL COPY	L COPY 2/17/21		(\$9.50)	\$0.00

Encumbrance List

Encumbrance Type	Transaction Date	Amount
No information was found for the given criteria.		

Obligation List

Obligation Type	Court Case#	Original Owed Balance	Sum of Tx for Date Range for Oblg	Current Balance
PLRA	CV-00674-JLT	\$350.00	(\$1.56)	\$326.04
REGULAR MAIL	CTF 7/28/15 ATT GEN	\$5.95	\$0.00	\$3.22
REGULAR MAIL	CTF /5/15 RADEKIN	\$0.48	\$0.00	\$0.48
REGULAR MAIL	CTF 8/10/15	\$0.48	\$0.00	\$0.48
REGULAR MAIL	CTF 8/20/15 PHYSICIA	\$0.48	\$0.00	\$0.48
REGULAR MAIL	CTF 11/5/15 PIANTINI	\$0.70	\$0.00	\$0.70
REGULAR MAIL	CTF 11/19/15 PIANTIN	\$1.14	\$0.00	\$1.14

Institution: CTF

Inmate Statement Report

Obligation Type	Court Case#	Original Owed Balance	Sum of Tx for Date Range for Oblg	Current Balance
REGULAR MAIL	CTF 12/4/15 PIANTINI	\$0.70	\$0.00	\$0.70
REGULAR MAIL	CTF 1/7/16 PIAINTINI	\$0.70	\$0.00	\$0.30
REGULAR MAIL	CTF2/17/16	\$0.70	\$0.00	\$0.70
REGULAR MAIL	CTF 2/25/16	\$0.48	\$0.00	\$0.48
REGULAR MAIL	CTF4/18/16	\$0.88	\$0.00	\$0.88
REGULAR MAIL	CTF4/22/16	\$0.67	\$0.00	\$0.67
REGULAR MAIL	CTF9/22/16	\$0.46	\$0.00	\$0.46
REGULAR MAIL	CTF10/8/16	\$1.99	\$0.00	\$1.99
REGULAR MAIL	CTF10/27/16	\$1.99	\$0.00	\$1.99
PLRA	2:15-CV-01896-AC	\$350.00	\$0.00	\$344.41
PLRA	APPEAL3: 15CV05073EMC	\$505.00	\$0.00	\$503.59
REGULAR MAIL	1/24/18	\$17.80	\$0.00	\$17.80
PLRA	3:18-CV-05139-EMC	\$350.00	\$0.00	\$349.42
REGULAR MAIL	R MAIL 3/12/21	\$9.55	\$0.00	\$9.55

Restitution List

Restitution	Court Case#	Status	Original Owed Balance	Interest Accrued	Sum of Tx for Date Range for Oblg	Current Balance
DIRECT ORDER	RIF096844	Active	\$10,109.53	\$0.00	\$0.00	\$9,549.10
RESTITUTION FINE	RIF096844	Active	\$10,000.00	\$0.00	\$0.00	\$9,992.00