

20-8164

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

MAY 20 2021

OFFICE OF THE CLERK

MICHAEL MOSLEY, PETITIONER,

v.

JOHN RICH, WARDEN, RESPONDENT.

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS.

MICHAEL MOSLEY, 11-A-3334
PETITIONER, PRO SE
ELMIRA CORRECTIONAL FACILITY
1879 DAVIS ST.
P.O. BOX 500
ELMIRA, N.Y. 14902

The petitioner asks for leave to file the attached petition for a writ of certiorari without payment of costs and to proceed in forma pauperis.

The petitioner has previously been granted leave to proceed in forma pauperis in the following courts:

- 1) New York Supreme Court, Appellate Division, Third Department (People v. Mosley, 121 AD3d 1169 [2014]).
- 2) New York Supreme Court, Appellate Division, Third Department (People v. Mosley, 155 AD3d 1124 [2017]).

The petitioner's declaration in support of this motion is attached hereto.

If certiorari and in forma pauperis is granted, I am requesting to have Mitch Kessler, Esq., 63 Pike Dr., Cohoes, N.Y. 12047, (518)235-6312, be appointed as counsel. He volunteered to be appointed as my 18-B lawyer in my State Court appeals and represented me at my Actual Innocence Hearing.

Respectfully submitted,



Michael Mosley 11A3334
Petitioner, Pro Se

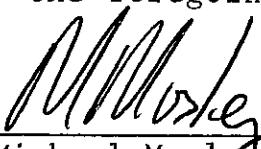
DECLARATION IN SUPPORT OF
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

I, Michael Mosley, 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 give security therefor; and believe I am entitled to redress.

- 1) My total monthly income is \$15.00, which is from my prison employment. I have no other income.
- 2) I have worked as a Recreation Yard Porter for the last 2 years, and get paid \$15.00 per month.
- 3) I have no cash, because inmates are not allowed to have money. I have \$241.69 in my prison commissary account.
- 4) I have no assets or items of value that I own.
- 5) No person, business or organization owes me any money.
- 6) No person relies on me for support.
- 7) I spend approximate \$10-25 per month on food and hygiene items.
- 8) I do not expect any major changes to my monthly income, expenses, assets or liabilities in the next 12 months.
- 9) I have not paid, and have no money to pay, an attorney any money for services in connection with this case.
- 10) I have not paid, and have no money to pay, anyone other than an attorney any money for services in connection with this case.
- 11) I cannot pay the costs, because I am an inmate without any support and minimal income.

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

Dated: May 13, 2021


Michael Mosley, 11A3334
Petitioner, Pro Se