

20-8221
No. _____

ORIGINAL

Supreme Court, U.S.
FILED

APR 12 2021

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

TERRENCE LAVARON THOMAS – PETITIONER,

VS.

MICHIGAN - 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*

☒ Petitioner has previously been granted leave to proceed in forma pauperis in the Following court(s):

Court of Appeals, Michigan Supreme Court, District Court and the 6th Circuit Court of Appeals.

☐ 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.

Terrence L. Thomas
(Signature)

RECEIVED

APR 23 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

#769198

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

4. How much cash do you and your spouse have? \$ 0
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
0	\$ 0	\$
0	\$ 0	\$
0	\$ 0	\$

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

☐ Home 0
Value

☐ Other real estate
Value 0

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

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

☐ Other assets
Description 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

N/A

Amount owed to you

\$ 0
\$ 0
\$ 0

Amount owed to your spouse

\$ 0
\$ 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
N/A

Relationship

Age

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.

Rent or home-mortgage payment
(include lot rented for mobile home)

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

You

Your spouse

\$ 0 \$

Utilities (electricity, heating fuel,
water, sewer, and telephone)

\$ 0 \$

Home maintenance (repairs and upkeep)

\$ 0 \$

Food

\$ 0 \$

Clothing

\$ 0 \$

Laundry and dry-cleaning

\$ 0 \$

Medical and dental expenses

\$ 0 \$

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

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.

NA

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

Executed on: May 10, 2021

Terrance A. A.
(Signature)

FEDERAL COURT

Prisoner-Plaintiff/Petitioner/Appellant name and number
Terrence Lavaron Thomas / #769198

Defendant's/Respondent's/Appellee's name
Michigan

CERTIFICATE OF PRISONER INSTITUTIONAL/TRUST FUND ACCOUNT ACTIVITY

I am employed by the Michigan Department of Corrections at the facility identified below, at which the prisoner identified as Plaintiff/Petitioner/Appellant is currently incarcerated.

Attached is a computer printout which accurately reflects the current spendable balance and all activity within this prisoner's account during the preceding six months or, if the prisoner has been incarcerated for less than six months, for the period of incarceration. Code "C" on the printout represents a withdrawal from the account and code "D" represents a deposit to the account. The attached printout reflects, for the reported period, an average monthly account deposit (i.e., total deposits divided by number of months) of \$78.44 an average monthly account balance (i.e., total deposits minus total withdrawals divided by number of months) of \$(2.89). There is a current spendable account balance of \$1.27.

3/25/21

P. Bunting

/ Account Technician

Signature of Custodian of Prisoner Institutional/Trust Fund Account

St. Louis

Correctional Facility

Daily Transaction Summary: October 25, 2020 - March 25, 2021

Page 1

Offender Information

Offender Number: 0769198	Institution: SLF	Living Unit: unit 3	Primary Balance: \$2.45
Offender Name: Thomas, Terrence Lavaron	Housing Facility: SLF	Cell: 125	Available Balance: \$1.27
Account Status: Open	Tier: BL	Bed: Bot	

Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
10/25/2020						\$19.81	
10/28/2020 07:20:11 AM	Legal Copies Disbursement	SLF Institutional Services			(\$0.50)	\$19.31	SLF
11/03/2020 01:31:38 AM	Commissary Sale	Keefe Commissary	C103540398		(\$15.19)	\$4.12	SLF
11/08/2020 05:10:14 AM	GTL	Esther Glover-Grant		\$50.00		\$54.12	COF
11/13/2020 04:23:31 PM	Phone Credits	Global Tel			(\$10.00)	\$44.12	SLF
11/17/2020 01:31:22 AM	Commissary Sale	Keefe Commissary	C103563576		(\$21.23)	\$22.89	SLF
11/17/2020 12:55:06 PM	SLF-School	400 - School		\$1.77		\$24.66	SLF
11/17/2020 07:40:07 PM	Kiosk Request	JPay Inc.			(\$3.00)	\$21.66	COF
11/18/2020 07:40:10 PM	Kiosk Request	JPay Inc.			(\$2.35)	\$19.31	COF
11/20/2020 01:31:15 AM	Commissary Sale	Keefe Commissary	C103563576		\$2.48	\$21.79	SLF
12/01/2020 01:31:26 AM	Commissary Sale	Keefe Commissary	C103585866		(\$18.64)	\$3.15	SLF
12/04/2020 05:10:10 AM	GTL	Esther Glover-Grant		\$50.00		\$53.15	COF
12/05/2020 07:40:08 PM	Kiosk Request	JPay Inc.			(\$1.00)	\$52.15	COF
12/09/2020 07:40:08 PM	Kiosk Request	JPay Inc.			(\$5.00)	\$47.15	COF
12/14/2020 10:17:49 AM	SLF-School	400 - School		\$12.39		\$59.54	SLF
12/15/2020 01:31:32 AM	Commissary Sale	Keefe Commissary	C103609808		(\$34.73)	\$24.81	SLF
12/17/2020 07:40:08 PM	Kiosk Request	JPay Inc.			(\$5.45)	\$19.36	COF
12/18/2020 01:31:18 AM	Commissary Sale	Keefe Commissary	C103609808		\$1.86	\$21.22	SLF
12/29/2020 01:31:17 AM	Commissary Sale	Keefe Commissary	C103632034		(\$12.58)	\$8.64	SLF
01/08/2021 05:10:08 AM	GTL	Esther Glover-Grant		\$50.00		\$58.64	COF
01/10/2021 07:40:08 PM	Kiosk Request	JPay Inc.			(\$20.08)	\$38.56	COF
01/12/2021 01:31:38 AM	Commissary Sale	Keefe Commissary	C103653947		(\$7.89)	\$30.67	SLF
01/15/2021 08:52:06 AM	SLF-School	400 - School		\$1.77		\$32.44	SLF
01/17/2021 07:40:08 PM	Kiosk Request	JPay Inc.			(\$5.05)	\$27.39	COF
01/18/2021 07:40:08 PM	Kiosk Request	JPay Inc.			(\$1.05)	\$26.34	COF
01/25/2021 05:10:06 AM	GTL	Njeri Greely		\$150.00		\$176.34	COF
01/26/2021 01:31:28 AM	Commissary Sale	Keefe Commissary	C103677554		(\$15.21)	\$161.13	SLF
01/26/2021 07:40:07 PM	Kiosk Request	JPay Inc.			(\$43.75)	\$117.38	COF
02/03/2021 05:10:09 AM	GTL	Esther Glover-Grant		\$50.00		\$167.38	COF
02/06/2021 07:40:07 PM	Kiosk Request	JPay Inc.			(\$17.50)	\$149.88	COF
02/09/2021 01:31:19 AM	Commissary Sale	Keefe Commissary	C103700027		(\$46.36)	\$103.52	SLF

Daily Transaction Summary (0769198 - Terrence Thomas cont.): October 25, 2020 - March 25, 2021

Page 2

Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
02/09/2021 12:01:48 PM	Phone Credits	Global Tel			(\$10.00)	\$93.52	SLF
02/12/2021 09:02:34 AM	SLF-School	400 - School		\$2.36		\$95.88	SLF
02/23/2021 01:31:28 AM	Commissary Sale	Keefe Commissary	C103724917		(\$7.80)	\$88.08	SLF
02/26/2021 08:46:45 AM	Legal Copies Disbursement	SLF Institutional Services			(\$0.40)	\$87.68	SLF
02/26/2021 08:47:08 AM	Legal Copies Disbursement	SLF Institutional Services			(\$1.00)	\$86.68	SLF
03/03/2021 01:31:00 AM	Commissary Sale	Keefe Commissary	C103724917		\$1.90	\$88.58	SLF
03/05/2021 05:10:08 AM	GTL	Esther Glover-Grant		\$50.00		\$138.58	COF
03/05/2021 05:10:08 AM	GTL	Ricardo Sampson		\$50.00		\$188.58	COF
03/06/2021 07:40:07 PM	Kiosk Request	JPAY Inc.			(\$12.50)	\$176.08	COF
03/09/2021 01:31:18 AM	Commissary Sale	Keefe Commissary	C103748340		(\$44.72)	\$131.36	SLF
03/10/2021 12:47:41 PM	Court Charges	6TH CIRCUIT COURT OAKLAND			(\$1.18)	\$130.18	COF
03/10/2021 12:47:41 PM	Court Charges	6TH CIRCUIT COURT OAKLAND			(\$25.00)	\$105.18	COF
03/10/2021 12:47:41 PM	Court Charges	6TH CIRCUIT COURT OAKLAND			(\$75.00)	\$30.18	COF
03/10/2021 12:47:41 PM	Court Charges	6TH CIRCUIT COURT OAKLAND			(\$1.18)	\$29.00	COF
03/10/2021 12:47:41 PM	Court Charges	6TH CIRCUIT COURT OAKLAND			(\$0.88)	\$28.12	COF
03/10/2021 12:47:41 PM	Court Charges	6TH CIRCUIT COURT OAKLAND			(\$0.88)	\$27.24	COF
03/10/2021 12:47:41 PM	Court Charges	6TH CIRCUIT COURT OAKLAND			(\$6.19)	\$21.05	COF
03/12/2021 08:01:57 AM	SLF-School	400 - School		\$2.36		\$23.41	SLF
03/15/2021 04:59:43 PM	Phone Credits	Global Tel			(\$10.00)	\$13.41	SLF
03/16/2021 12:05:40 PM	V-SLF-School			(\$2.36)		\$11.05	SLF
03/16/2021 12:05:40 PM	SLF-School	400 - School		\$2.36		\$13.41	SLF
03/18/2021 01:31:22 AM	Commissary Sale	Keefe Commissary	C103748340		\$3.90	\$17.31	SLF
03/23/2021 01:31:31 AM	Commissary Sale	Keefe Commissary	C103772686		(\$14.86)	\$2.45	SLF
03/25/2021				\$470.65	(\$488.01)	\$2.45	

Savings

Date	Deposit	Expense	Balance	Loc Code
10/25/2020			\$0.00	
No Activity				
03/25/2021	\$0.00	\$0.00	\$0.00	

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

TERRENCE LAVARON THOMAS,
Petitioner,

v.

MICHIGAN,
Respondent,

DECLARATION IN SUPPORT OF MOTION TO PROCEED *IN FORMA PAUPERIS*

Petitioner Terrence Lavaron Thomas respectfully asks this Honorable Court for leave to Proceed *In Forma Pauperis*, so that he may file the accompanying Petition for Writ of Certiorari with this court. Petitioner is indigent, and does not have any financial assets, property, or bank accounts, all totaling in the amount of \$ 0.00.

Petitioner does not have a job and is currently incarcerated in a state prison in Michigan, where he is not receiving any significant income. Mr. Thomas is not represented by counsel and is filing this *In Pro-Per*. A copy of his prisoner account activity for the past 6months is attached along with an affidavit of proof.

By: TERRENCE THOMAS
Terrence Lavaron Thomas #769198
In Pro-Per
St. Louis Correctional Facility
8585 N. Croswell Rd.
St. Louis, MI 48880