

21-5185

ORIGINAL

No. _____

Supreme Court, U.S.
FILED

JUL 15 2021

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

LEXTON PELLEW

— PETITIONER

(Your Name)

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):

DISTRICT OF COLUMBIA

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.

Lexton Pellew
(Signature) JUL 20 2021

RECEIVED
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SUPREME COURT, U.S.

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

I, Lexton Pellew, 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	\$ 64.30	\$ NA	\$ 64.30	\$ NA
Self-employment	\$ NA	\$ NA	\$ NA	\$ NA
Income from real property (such as rental income)	\$ NA	\$ NA	\$ NA	\$ NA
Interest and dividends	\$ NA	\$ NA	\$ NA	\$ NA
Gifts	\$ 200-300	\$ NA	\$ 200-300	\$ NA
Alimony	\$ NA	\$ NA	\$ NA	\$ NA
Child Support	\$ NA	\$ NA	\$ NA	\$ NA
Retirement (such as social security, pensions, annuities, insurance)	\$ NA	\$ NA	\$ NA	\$ NA
Disability (such as social security, insurance payments)	\$ NA	\$ NA	\$ NA	\$ NA
Unemployment payments	\$ NA	\$ NA	\$ NA	\$ NA
Public-assistance (such as welfare)	\$ NA	\$ NA	\$ NA	\$ NA
Other (specify): _____	\$ NA	\$ NA	\$ NA	\$ NA
Total monthly income:	\$ 264-364	\$ NA	\$ 264-364	\$ NA

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
FCI Butner 2	PO Box 1500	2020-pres	\$ 64.30
			\$
			\$
			\$

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
NA	NA	NA	\$ NA
			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 5,994.31
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
Inmate Trust	Savings	\$ 5994.31	\$ NA
		\$	\$
		\$	\$

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

Home

Value NA

Other real estate

Value NA

Motor Vehicle #1

Year, make & model

NA

Motor Vehicle #2

Year, make & model

Value NA

Other assets

Description

Value NA

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
NA	\$ NA	\$ NA
	\$ _____	\$ _____
	\$ _____	\$ _____

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

Name	Relationship	Age
NA	NA	NA

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)	\$ NA	\$ NA
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)	\$ NA	\$ NA
Home maintenance (repairs and upkeep)	\$ NA	\$ NA
Food	\$ 150.00	\$ NA
Clothing	\$ NA	\$ NA
Laundry and dry-cleaning	\$ 10.00	\$ NA
Medical and dental expenses	\$ NA	\$ NA

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>NA</u>	\$ <u>NA</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>NA</u>	\$ <u>NA</u>
Insurance (not deducted from wages or included in mortgage payments)		NA
Homeowner's or renter's	\$ <u>NA</u>	\$ <u>NA</u>
Life	\$ <u>NA</u>	\$ <u>NA</u>
Health	\$ <u>NA</u>	\$ <u>NA</u>
Motor Vehicle	\$ <u>NA</u>	\$ <u>NA</u>
Other: _____	\$ <u>NA</u>	\$ <u>NA</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>NA</u>	\$ <u>NA</u>
Installment payments		
Motor Vehicle	\$ <u>NA</u>	\$ <u>NA</u>
Credit card(s)	\$ <u>NA</u>	\$ <u>NA</u>
Department store(s)	\$ <u>NA</u>	\$ <u>NA</u>
Other: _____	\$ <u>NA</u>	\$ <u>NA</u>
Alimony, maintenance, and support paid to others	\$ <u>NA</u>	\$ <u>NA</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	NA	NA
Other (specify): _____	\$ <u>NA</u>	\$ <u>NA</u>
Total monthly expenses:	\$ <u>160.00</u>	\$ <u>NA</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? NA

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

NA/ Pro Se

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:

NA/Pro Se

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

I live off of what institutional pay I get a month and from time to time family gifts.

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

Executed on: July , 14th, 2021


Lexton Pellew, 75551-053

(Signature)

InmateStatementCombined



Inmate Statement

Inmate Reg #: 75551053
 Inmate Name: PELLEW, LEXTON
 Report Date: 06/29/2021
 Report Time: 2:49:01 PM

Current Institution: Butner FCC
 Housing Unit: BTF-O-D
 Living Quarters: O04-049L

<u>Alpha Code</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Transaction Amount</u>	<u>Encumbrance Amount</u>	<u>Ending Balance</u>
BUX	6/29/2021 12:16:38 PM	85			Sales	(\$29.90)		\$5,994.31
BUX	6/26/2021 7:41:23 PM	TL0626			TRUL Withdrawal	(\$30.00)		\$6,024.21
BUX	6/23/2021 2:07:47 PM	33321174			Western Union	\$50.00		\$6,054.21
BUX	6/22/2021 5:41:39 PM	TL0622			TRUL Withdrawal	(\$10.00)		\$6,004.21
BUX	6/22/2021 11:48:43 AM	72			Sales	(\$23.40)		\$6,014.21
BUX	6/22/2021 11:48:22 AM	71			Sales	\$10.40		\$6,037.61
BUX	6/22/2021 11:47:27 AM	70			Sales	(\$46.60)		\$6,027.21
BUX	6/15/2021 11:10:32 AM	57			Sales	(\$53.00)		\$6,073.81
BUX	6/14/2021 9:08:09 PM	33321165			Western Union	\$100.00		\$6,126.81
BUX	6/11/2021 5:18:06 PM	TL0611			TRUL Withdrawal	(\$30.00)		\$6,026.81
BUX	6/10/2021 6:07:17 PM	33321161			Western Union	\$200.00		\$6,056.81
BUX	6/8/2021 11:55:28 AM	53			Sales	(\$42.70)		\$5,856.81
BUX	6/8/2021 7:08:55 AM	WIPP0521			Payroll - IPP	\$64.30		\$5,899.51
BUX	6/6/2021 8:19:49 AM	TL0606			TRUL Withdrawal	(\$30.00)		\$5,835.21
BUX	6/3/2021 7:11:07 AM	33321154			Western Union	\$300.00		\$5,865.21
BUX	6/3/2021 7:11:07 AM	33321154			Western Union	\$300.00		\$5,565.21
BUX	6/3/2021 7:11:04 AM				Western Union	\$300.00		\$5,265.21
BUX	6/3/2021 7:11:02 AM	33321154			Western Union	\$300.00		\$4,965.21
BUX	6/3/2021 7:10:56 AM				Western Union	\$35.00		\$4,665.21
BUX	6/3/2021 7:10:54 AM	33321154			Western Union	\$300.00		\$4,630.21
BUX	6/3/2021 7:10:52 AM	33321154			Western Union	\$300.00		\$4,330.21
BUX	6/3/2021 7:10:49 AM	33321154			Western Union	\$300.00		\$4,030.21
BUX	6/3/2021 7:10:47 AM	33321154			TRUL Withdrawal	(\$30.00)		\$3,730.21
BUX	5/30/2021 7:40:17 AM	TL0530			TRUL Withdrawal	(\$10.00)		\$3,760.21
BUX	5/27/2021 6:22:59 PM	TL0527			Sales	(\$33.70)		\$3,770.21
BUX	5/24/2021 10:34:46 AM	55			TRUL Withdrawal	(\$10.00)		\$3,803.91
BUX	5/23/2021 5:44:57 PM	TL0523			TRUL Withdrawal	(\$15.00)		\$3,813.91
BUX	5/21/2021 2:59:05 PM	TL0521			Sales	(\$129.45)		\$3,828.91
BUX	5/18/2021 11:29:48 AM	49			Western Union	\$40.00		\$3,958.36
BUX	5/16/2021 11:07:11 AM	33321136			TRUL Withdrawal	(\$30.00)		\$3,918.36
BUX	5/12/2021 6:37:53 AM	TL0512			Sales	(\$67.00)		\$3,948.36
BUX	5/11/2021 11:59:41 AM	78			Payroll - IPP	\$20.00		\$4,015.36
BUX		WIPP0421						

InmateStatementCombined

BUX	5/7/2021 2:05:36 PM 5/4/2021 11:19:53 AM	71	Sales	(\$102.35)	\$3,995.36
BUX	5/2/2021 11:07:08 AM	33321122	Western Union	\$300.00	\$4,097.71
BUX	5/2/2021 11:07:06 AM	33321122	Western Union	\$300.00	\$3,797.71
BUX	5/2/2021 11:07:03 AM	33321122	Western Union	\$300.00	\$3,497.71
BUX	5/2/2021 6:23:13 AM	TL0502	TRUL Withdrawal	(\$10.00)	\$3,197.71
BUX	4/27/2021 7:07:31 PM	33321117	Western Union	\$220.00	\$3,207.71
BUX	4/27/2021 7:07:29 PM	33321117	Western Union	\$300.00	\$2,987.71
BUX	4/27/2021 7:07:27 PM	33321117	Western Union	\$300.00	\$2,687.71
BUX	4/27/2021 7:07:25 PM	33321117	Western Union	\$300.00	\$2,387.71
BUX	4/27/2021 7:07:23 PM	33321117	Western Union	\$300.00	\$2,087.71
BUX	4/27/2021 11:49:12 AM	46	Sales	(\$2.80)	\$1,787.71
BUX	4/27/2021 11:47:46 AM	45	Sales	(\$60.25)	\$1,790.51
BUX	4/23/2021 10:08:29 AM	40	Sales	(\$84.70)	\$1,850.76
BUX	4/19/2021 3:28:05 PM	TL0419	TRUL Withdrawal	(\$30.00)	\$1,935.46
BUX	4/16/2021 1:16:58 PM	76	Sales	(\$56.75)	\$1,965.46
BUX	4/13/2021 7:59:01 AM	TL0413	TRUL Withdrawal	(\$30.00)	\$2,022.21
BUX	4/10/2021 7:25:44 AM	TL0410	TRUL Withdrawal	(\$5.00)	\$2,052.21
BUX	4/8/2021 1:25:31 PM	67	Sales	(\$53.10)	\$2,057.21

123 Total Transactions: 114 Totals: \$5,226.55 \$0.00

<u>Other Balances</u>							
<u>National 6</u>	<u>Natioanl 6</u>	<u>Local Max</u>		<u>Commissary</u>		<u>Commissary</u>	
<u>Months</u>	<u>Months Avg</u>	<u>Balance - Prev 30</u>	<u>Average Balance</u>	<u>Restriction Start</u>	<u>Date</u>	<u>Restriction End</u>	<u>Date</u>
<u>Months Deposits</u>	<u>Withdrawals</u>	<u>Daily Balance</u>	<u>Days</u>	<u>- Prev 30 Days</u>			
\$7,189.30	\$1,748.00	\$2,326.36	\$6,126.81	\$5,765.19	N/A		N/A

Inmate Statement



Inmate Reg #: 75551053 Current Institution: Butner FCC
 Inmate Name: PELLEW, LEXTON Housing Unit: BTF-O-D
 Report Date: 06/29/2021 Living Quarters: 004-049L
 Report Time: 5:33:49 PM

<u>Alpha</u>	<u>Code</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Transaction Amount</u>	<u>Encumbrance Amount</u>	<u>Ending Balance</u>
BUX		4/3/2021 6:19:20 PM			TL0403	TRUL Withdrawal	(\$5.00)		\$2,110.31
BUX		4/1/2021 9:37:53 AM		37		Sales	(\$48.40)		\$2,115.31
BUX		3/30/2021 9:43:39 AM			TL0330	TRUL Withdrawal	(\$10.00)		\$2,163.71
BUX		3/27/2021 3:07:46 PM		33321086		Western Union	\$50.00		\$2,173.71
BUX		3/25/2021 9:45:02 AM		4		Sales	(\$88.40)		\$2,123.71
BUX		3/25/2021 9:43:12 AM		3		Sales	(\$58.00)		\$2,212.11
BUX		3/23/2021 8:02:24 AM			TL0323	TRUL Withdrawal	(\$30.00)		\$2,270.11
BUX		3/16/2021 8:08:13 PM				Western Union	\$200.00		\$2,300.11
BUX		3/15/2021 12:08:13 PM		33321074		Western Union	\$200.00		\$2,100.11
BUX		3/14/2021 12:07:42 PM			33321073	Western Union	\$300.00		\$1,900.11
BUX		3/12/2021 4:47:50 PM		TL0312		TRUL Withdrawal	(\$15.00)		\$1,600.11
BUX		3/9/2021 6:07:49 PM			33321068	Western Union	\$300.00		\$1,615.11
BUX		3/9/2021 6:07:47 PM				Western Union	\$300.00		\$1,315.11
BUX		3/9/2021 6:07:45 PM		33321068		Western Union	\$300.00		\$1,015.11
BUX		3/9/2021 6:07:43 PM				Western Union	\$200.00		\$715.11
BUX		3/9/2021 6:07:40 PM		33321068		Western Union	\$300.00		\$515.11
BUX		3/9/2021 9:37:11 AM		31		Sales	(\$38.40)		\$215.11
BUX		3/9/2021 7:36:33 AM			TL0309	TRUL Withdrawal	(\$10.00)		\$253.51
BUX		3/6/2021 9:06:46 AM			33321065	Western Union	\$60.00		\$263.51
BUX		3/2/2021 9:55:43 AM		5		Sales	(\$53.10)		\$203.51
BUX		2/25/2021 2:30:52 PM			TL0225	TRUL Withdrawal	(\$10.00)		\$256.61
BUX		2/23/2021 9:17:40 AM		6		Sales	(\$34.60)		\$266.61
BUX		2/17/2021 10:11:30 AM		44		Sales	(\$41.30)		\$301.21
BUX		2/9/2021 9:53:21 AM			20	Sales	(\$41.60)		\$342.51
BUX		2/3/2021 8:28:27 AM			TL0203	TRUL Withdrawal	(\$10.00)		\$384.11
BUX		2/2/2021 10:21:40 AM		31		Sales	(\$45.55)		\$394.11
BUX		1/26/2021 11:56:10 AM			39	Sales	(\$28.35)		\$439.66
BUX		1/20/2021 10:03:21 AM		33321020		Western Union	\$50.00		\$468.01
BUX		1/18/2021 1:13:37 PM			TL0118	TRUL Withdrawal	(\$10.00)		\$418.01
BUX		1/12/2021 8:58:54 AM		12		Sales	(\$60.70)		\$428.01
BUX		1/5/2021 9:06:59 AM		14		Sales	(\$49.30)		\$488.71
BUX			TL0102			TRUL Withdrawal	(\$15.00)		\$538.01

1/2/2021							
BUX	12:54:27 PM	33320360	Western Union	\$50.00		\$553.01	
BUX	12/25/2020		Sales	(\$52.00)		\$503.01	
BUX	1:09:29 PM		TRUL Withdrawal	(\$10.00)		\$555.01	
BUX	12/23/2020	43	Western Union	\$200.00		\$565.01	
BUX	10:28:20 AM	TL1222	TRUL Withdrawal	(\$10.00)		\$365.01	
BUX	12/22/2020		Western Union	\$200.00		\$375.01	
BUX	8:05:00 AM		TRUL Withdrawal	(\$15.00)		\$390.01	
BUX	12/20/2020	33320355	Western Union	\$200.00		\$390.01	
BUX	9:04:01 PM		TRUL Withdrawal	(\$10.00)		\$375.01	
BUX	12/19/2020	TL1219	TRUL Withdrawal	(\$10.00)		\$365.01	
BUX	7:59:54 AM		TRUL Withdrawal	(\$15.00)		\$375.01	
BUX	12/18/2020	TL1218	Sales	(\$150.65)		\$390.01	
BUX	7:39:29 PM		TRUL Withdrawal	(\$5.00)		\$340.66	
BUX	12/18/2020	46	Western Union	\$200.00		\$345.66	
BUX	1:55:23 PM		Western Union	\$300.00		\$345.66	
BUX	12/14/2020	TL1214	TRUL Withdrawal	(\$5.00)		\$340.66	
BUX	7:55:28 AM		TRUL Withdrawal	(\$5.00)		\$345.66	
BUX	12/11/2020	33320346	Sales	(\$194.25)		\$345.66	
BUX	10:04:05 PM		TRUL Withdrawal	(\$10.00)		\$254.91	
BUX	12/11/2020	33320346	TRUL Withdrawal	(\$10.00)		\$264.91	
BUX	10:04:04 PM		Sales	(\$145.35)		\$274.91	
BUX	12/11/2020	TL1211	TRUL Withdrawal	(\$10.00)		\$264.91	
BUX	10:35:58 AM		Sales	(\$145.35)		\$274.91	
BUX	12/6/2020	TL1206	TRUL Withdrawal	(\$10.00)		\$274.91	
BUX	7:11:42 PM		Sales	(\$194.25)		\$274.91	
BUX	12/4/2020	28	TRUL Withdrawal	(\$10.00)		\$274.91	
BUX	9:57:18 AM		Sales	(\$194.25)		\$274.91	
BUX	12/2/2020	TL1202	TRUL Withdrawal	(\$10.00)		\$274.91	
BUX	6:00:04 PM		Sales	(\$194.25)		\$274.91	
BUX	11/22/2020	TL1122	TRUL Withdrawal	(\$10.00)		\$274.91	
BUX	1:19:44 PM		Sales	(\$194.25)		\$274.91	
BUX	11/20/2020	28	TRUL Withdrawal	(\$10.00)		\$274.91	
BUX	12:03:15 PM		Sales	(\$194.25)		\$274.91	
BUX	11/14/2020	33320319	Western Union	\$50.00		\$420.26	
BUX	4:04:11 PM		Sales	(\$63.90)		\$370.26	
BUX	11/13/2020	93					
BUX	12:19:06 PM						

123

Total Transactions: 114

Totals: \$5,226.55 \$0.00

Current Balances

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrance</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Account Balance</u>
BUX	\$5,994.31	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,994.31
Totals:	\$5,994.31	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,994.31

Other Balances

<u>National 6 Months Deposits</u>	<u>National 6 Months Withdrawals</u>	<u>Natioanl 6 Months Avg Daily Balance</u>	<u>Local Max Balance - Prev 30 Days</u>	<u>Average Balance - Prev 30 Days</u>	<u>Commissary Restriction Start Date</u>	<u>Commissary Restriction End Date</u>
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		