

21-5401

ORIGINAL

No.

USCA6

No. 20-4168

Supreme Court, U.S.
FILED

JUN 21 2021

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES
FOR SIXTH CIRCUITShawn R. Wilson — PETITIONER Pro Se,
(Your Name)

VS.

Fender, WARDEN 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 (Northern East Division, 6th Circuit),
Seventh Appellate District of Ohio, Ohio Supreme Court.

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.

Mr. Shawn R. Wilson *6/16/21*
 (Signature) **RECEIVED**
 AUG 17 2021
 OFFICE OF THE CLERK
 SUPREME COURT, U.S.

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

I, Mr. Shawn P. Wilson, 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>8.00</u>	\$ <u>None</u>	\$ <u>9.00</u>	\$ <u>None</u>
Self-employment	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Income from real property (such as rental income)	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Interest and dividends	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Gifts	\$ <u>80.00</u>	\$ <u>None</u>	\$ <u>80.00</u>	\$ <u>None</u>
Alimony	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Child Support	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Disability (such as social security, insurance payments)	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Unemployment payments	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Public-assistance (such as welfare)	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Other (specify): <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>	\$ <u>None</u>
Total monthly income:	\$ <u>88.00</u>	\$ <u>None</u>	\$ <u>89.00</u>	\$ <u>None</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
NA	NA	NA	\$ NA
NA	NA	NA	\$ NA
NA	NA	NA	\$ NA

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

4. How much cash do you and your spouse have? \$ NA
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
NA / Inmate Account	\$ NA \$ 251.58	\$ NA
NA	\$ NA	\$ NA
NA	\$ NA	\$ 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
Value NA

Motor Vehicle #2
Year, make & model NA
Value NA

Other assets
Description NA
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
None	\$ None	\$ None
None	\$ None	\$ None
None	\$ None	\$ None

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	None	None
None	None	None
J.W	Son	8

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)	\$ None	\$ None
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ None	\$ None
Home maintenance (repairs and upkeep)	\$ None	\$ None
Food	\$ 50.00	\$ None
Clothing	\$ 20.00	\$ None
Laundry and dry-cleaning	\$ None	\$ None
Medical and dental expenses	\$ 10.00	\$ None

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ None	\$ None
Recreation, entertainment, newspapers, magazines, etc.	\$ None	\$ None
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ None	\$ None
Life	\$ None	\$ None
Health	\$ None	\$ None
Motor Vehicle	\$ None	\$ None
Other: <u>NA</u>	\$ None	\$ None
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>IA</u>	\$ None	\$ None
Installment payments		
Motor Vehicle	\$ None	\$ None
Credit card(s)	\$ None	\$ None
Department store(s)	\$ None	\$ None
Other: <u>NA</u>	\$ None	\$ None
Alimony, maintenance, and support paid to others	\$ None	\$ None
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ None	\$ None
Other (specify): <u>NA</u>	\$ None	\$ None
Total monthly expenses:	\$ 80.00	\$ None

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.

Expenses are straining & support isn't getting any better.

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? N.A.

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

Fellow inmates & outside support has helped.

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

Doesn't have the constant financial support to afford additional expenses, as well as I am currently being charged in the United States District (Northeastern Division) in Case No. 1:21-CV-00538.

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

Executed on: August 8, 2021, 2021

Matthew P. Wilcox 640014
(Signature)

21-5401

No. USCA 6

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IN THE

SUPREME COURT OF THE UNITED STATES

For The Sixth Circuit

Shawn R. Wilson — PETITIONER Pro Se,
(Your Name)

vs.

Fender, WARDEN — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Sixth Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Mr. Shawn Ramone Wilson #640014
(Your Name)

1724 State Route 728

(Address)

Lucasville, Ohio 45699

(City, State, Zip Code)

740-259-5544

(Phone Number)

QUESTION(S) PRESENTED

Since;

- the trial state court utilized a fraud P.H.D Anil C. Nalluri to evaluate Petitioners competency (pleaded guilty & suspended paying back \$71K)
- there was a total disregard to an adequate competency hearing according to "18 U.S.C.S § 4247(d)"
- there exist overwhelming evidence proving Petitioners incompetency by P.H.D. MD Sandra McPherson, P.H.D. Burke and that Petitioner was diagnosed with various mental illnesses & prescribed meds, (all evidence that still hasn't had the opportunity for a hearing or consideration).
- and the fact Petitioner has an Alibi of innocence claim (Surveillance video),

SHOULD PETITIONER BE STRONGLY HELD RESPONSIBLE FOR NOT MEETING THE INITIAL APPEAL TO THE OHIO SUPREME COURT, EVEN THOUGH PETITIONER EXHAUSTED ALL AGENCIES INCLUDING DELAYED APPEAL TO ~~OSC~~ OSC AND STATE WRIT OF HABEAS CORPUS TO THE OHIO SUPREME COURT?

LIST OF PARTIES

- All parties appear in the caption of the case on the cover page.
- All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

- State v. Wilson, Case No. 2013 MA 10, Seventh Appellate District Court of OHIO. Judgment entered March 10, 2014.
- State v. Wilson, Case No. 2013 MA 0138, Seventh Appellate District Court of OHIO. Judgment entered November 17, 2015.
- State v. Wilson, Case No. 2016-0373, Supreme Court of Ohio. Judgment entered May 4, 2016.
- State Writ of Habeas Corpus, Case No. 2016-0560, Supreme Court of Ohio. Judgment entered May 6, 2016.
- Post Conviction Relief, Case No. 2012 CR 919, Judgment April 21, 2016.
- State Writ of Habeas Corpus, Case No. 2016-0774, Judgment July 27, 2016.
- Federal Writ of Habeas Corpus, Case No. 4:16-cv-02337, Judgment entered in regards to, Wilson v. Larose, 2019 U.S. 162148 on Sept 23, 2019.
- Application for Certificate of Appealability, 4:16-cv-02337, United States Sixth Circuit Court of Appeals, Judgment entered May 11, 2021.
- Shawn Wilson v. Douglas Fender, Case No. 20-4168, Judgment May 11, 2021.

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- APPENDIX B - Decision of the United States District Court Northern District of Ohio Eastern Division, No. 4:16 CV 2337, Filed Sept 23, 19 (pgs 1-20)
- APPENDIX C - Decision of the (Federal Magistrate R&R) United States District Court Northern District of Ohio Eastern Division, No. 4:16 CV 2337, filed Apr 25, 19 (pgs 1-39)
- APPENDIX D - Decision of the (Ohio Supreme Court) State Writ of Habeas Corpus Case No. 2016-0774, Filed July 27, 2016 J.E (pg 1 of 1)
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- APPENDIX H - Decision of the (United States District Court Northern District of Ohio Eastern Division) No. 4:16 CV 2337, (Motion to Alter or Amend Judgment 59(e) order) Filed Sept 21, 2020 (pgs 1-6)