

No. **21-5424** **ORIGINAL**

IN THE
SUPREME COURT OF THE UNITED STATES
No. 20-40871

Supreme Court, U.S.
FILED
JUN 23 2021
OFFICE OF THE CLERK

VICTOR HUGO CANALES — PETITIONER
(Your Name)

VS.

DOBBY LUMPKIN, Director, — 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 SOUTHERN DISTRICT OF TEXAS

CIVIL ACTIONS NO. S 5:17-CV-00154; 2:19-CV-00330

☐ 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: _____
none, or

☐ a copy of the order of appointment is appended.

RECEIVED
AUG 17 2021
OFFICE OF THE CLERK
SUPREME COURT, U.S.


(Signature)

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

I, Victor Hugo Canales, 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	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Gifts	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Child Support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): <u>None</u>	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</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
Painter BLOG	wallace Unit	On or about March, 2019	\$ 0
Painter BLOG	wallace Unit	06/04/2019-2021	\$ 0
none	none	none	\$ 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	\$ N/A
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A

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
none/N/A	\$ 0	\$ N/A
none/N/A	\$ 0	\$ N/A
none/N/A	\$ 0	\$ N/A

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

☐ Home
Value none

☐ Other real estate
Value none

☐ Motor Vehicle #1
Year, make & model none
Value none

☐ Motor Vehicle #2
Year, make & model none
Value none

☐ Other assets
Description none
Value none

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

\$ 0

\$ 0

none

\$ 0

\$ 0

none

\$ 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

Relationship

Age

none

none

none

none

none

none

none

none

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

\$ 0

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

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

\$ 0

\$ 0

Home maintenance (repairs and upkeep)

\$ 0

\$ 0

Food

\$ 0

\$ 0

Clothing

\$ 0

\$ 0

Laundry and dry-cleaning

\$ 0

\$ 0

Medical and dental expenses

\$ 0

\$ 0

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0	\$ w/a
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ w/a
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ w/a
Life	\$ 0	\$ w/a
Health	\$ 0	\$ w/a
Motor Vehicle	\$ 0	\$ w/a
Other: none	\$ 0	\$ w/a
Taxes (not deducted from wages or included in mortgage payments)		
(specify): none	\$ 0	\$ w/a
Installment payments		
Motor Vehicle	\$ 0	\$ w/a
Credit card(s)	\$ 0	\$ w/a
Department store(s)	\$ 0	\$ w/a
Other: none	\$ 0	\$ w/a
Alimony, maintenance, and support paid to others	\$ 0	\$ w/a
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ w/a
Other (specify): none	\$ 0	\$ w/a
Total monthly expenses:	\$ 0	\$ w/a

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? NONE

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

NONE

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? NONE

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

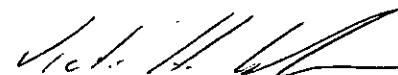
NONE

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

NONE

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

Executed on: JUNE 22, 2021, 20 21



(Signature)

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

VICTOR HUGO CANALES - PETITIONER
(Your Name)

vs.

BOBBY LUMPKIN, Director, - RESPONDENT(S)

ON DECLARATION IN SUPPORT OF REQUEST FOR
LEAVE TO PROCEED IN FORMA PAUPERIS TO

THE UNITED STATES COURT OF APPEALS FIFTH CIRCUIT NO. 20-40871
(NAME OF COURT THAT HAS RULED ON MERITS OF YOUR CASE)

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

VICTOR HUGO CANALES
(Your Name)

WALLACE UNIT 1675 SOUTH FM 3525
(Address)

COLORADO CITY, TEXAS 79512
(City, state, Zip Code)

W/A
(Phone Number)

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

VICTOR HUGO CANALES; a.k.a. HERIBERTO RIVERA SALAZAR states:

1. I am the petitioner in the above-entitled action. I make this declaration in support of my application for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

2. I am incarcerated in the Wallace Unit Texas Department of Criminal Justice.

3. I am employed in the prison, Painter BLOB SQ 1ST from 06:00-16:30 more then approximate 2 years and received a wage of \$ a day work each week (temporary) and I am have no steady income.

4. I have received ecomm Direct approximate \$60.00 in food no cash from religion friends of mine over the past 6 months.

5. I have no other source of income and do not own any cash, bank accounts, real estate, stocks, bonds, notes, automobiles, or other valuable property.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

June 22, 2021

Victor H. Canales TDCJ-ID # 2064303. Pro Se.

Wallace Unit

1675 South FM 3525

Colorado City, Texas 79512

CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 06/22/21
1E2B/JT00073 IN-FORMA-PAUPERIS DATA 12:55:32
TDCJ#: 02064303 SID#: 07354981 LOCATION: WALLACE INDIGENT DTE: 05/23/16
NAME: CANALES, VICTOR BEGINNING PERIOD: 12/01/20
PREVIOUS TDCJ NUMBERS:
CURRENT BAL: 0.00 TOT HOLD AMT: 0.00 3MTH TOT DEP: 2.09
6MTH DEP: 4.56 6MTH AVG BAL: 1.09 6MTH AVG DEP: 0.76
MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS
05/21 0.00 0.00 02/21 0.67 0.67
04/21 1.54 1.54 01/21 5.00 0.00
03/21 0.55 0.55 12/20 5.16 1.80

STATE OF TEXAS COUNTY OF
ON THIS THE 22 DAY OF June 2021 I CERTIFY THAT THIS DOCUMENT IS A TRUE,
COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE
COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG:
PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: _____ OR SID NUMBER: _____

Melinda Wagner

