

21-5867
No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

James Dean Kendrick — PETITIONER
(Your Name)

FILED
AUG 25 2021
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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):

United States District Court for the District of Columbia in
the following two Case Numbers: 20-cv-02900; and 21-cv-01624

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.

James Dean Kendrick
(Signature)

UNITED STATES Supreme COURT

James Dean Kendrick
Petitioner

v.

) Case No.
)
)
)
)
)
)
)

United States of America
Respondent

AFFIDAVIT ACCOMPANYING MOTION
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS

Affidavit in Support of Motion

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Signed:

James Dean Kendrick

Date: August 23, 2021

My issues on appeal are:

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.

Note: I have never been married.

| Income source | Average monthly amount during the past 12 months | | Amount expected next month | |
|--|--|--------|----------------------------|--------|
| | You | Spouse | You | Spouse |
| Employment / Prison Job | \$ 180.00 | \$ N/A | \$ 180.00 | \$ N/A |
| Self-employment | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| Income from real property (such as rental income) | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| Interest and dividends | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| Gifts | \$ N/A | \$ N/A | \$ None | \$ N/A |
| Alimony | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| Child support | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| Retirement (such as social security, pensions, annuities, insurance) | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| Disability (such as social security, insurance payments) | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| Unemployment payments | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| Public-assistance (such as welfare) | \$ N/A | \$ N/A | \$ N/A | \$ N/A |
| Other (specify): | \$ N/A | \$ N/A | \$ None | \$ N/A |
| Total monthly income: | \$ 180.00 | \$ N/A | \$ 180.00 | \$ N/A |

2. List your 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 |
|------------|----------------------------|---------------------|-------------------|
| Prison Job | Commissary (USP Allenwood) | Started March 2020 | \$ 180.00 |
| | | | \$ |
| | | | \$ |

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.) *Never Married*

| Employer | Address | Dates of employment | Gross monthly pay |
|------------|------------|---------------------|-------------------|
| <i>N/A</i> | <i>N/A</i> | <i>N/A</i> | \$ <i>N/A</i> |
| | | | \$ |
| | | | \$ |

Never married, I have:

4. How much cash do you and your spouse have? \$ *70.*³²

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Never married / I have none.

| Financial Institution | Type of Account | Amount you have | Amount your spouse has |
|-----------------------|-----------------|-----------------|------------------------|
| <i>N/A</i> | <i>N/A</i> | \$ <i>N/A</i> | \$ <i>N/A</i> |
| | | \$ | \$ |
| | | \$ | \$ |

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

Never married / I own none.

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

| Home | Other real estate | Motor vehicle #1 |
|-----------------------|-----------------------|----------------------------|
| (Value) \$ <i>N/A</i> | (Value) \$ <i>N/A</i> | (Value) \$ <i>N/A</i> |
| <i>N/A</i> | <i>N/A</i> | Make and year: <i>N/A</i> |
| | | Model: <i>N/A</i> |
| | | Registration #: <i>N/A</i> |

| Motor vehicle #2 | Other assets | Other assets |
|----------------------------|-----------------------|-----------------------|
| (Value) \$ <i>N/A</i> | (Value) \$ <i>N/A</i> | (Value) \$ <i>N/A</i> |
| Make and year: <i>N/A</i> | <i>N/A</i> | <i>N/A</i> |
| Model: <i>N/A</i> | <i>N/A</i> | <i>N/A</i> |
| Registration #: <i>N/A</i> | <i>N/A</i> | <i>N/A</i> |

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Never married / None owed to me.

| Person owing you or your spouse money | Amount owed to you | Amount owed to your spouse |
|---------------------------------------|--------------------|----------------------------|
| <i>N/A</i> | \$ <i>N/A</i> | \$ <i>N/A</i> |
| | \$ | \$ |
| | \$ | \$ |
| | \$ | \$ |

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

Never married/None.

| Name [or, if under 18, initials only] | Relationship | Age |
|---------------------------------------|--------------|------------|
| <i>N/A</i> | <i>N/A</i> | <i>N/A</i> |
| | | |
| | | |

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, semiannually, or annually to show the monthly rate.

Never Married.

| | You | Your Spouse |
|--|------------|-------------|
| Rent or home-mortgage payment (include lot rented for mobile home) | \$ | \$ |
| Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No | <i>N/A</i> | <i>N/A</i> |
| Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No | | |

| | | |
|---|-------------|--------|
| Utilities (electricity, heating fuel, water, sewer, and telephone) | \$ None | \$ N/A |
| Home maintenance (repairs and upkeep) | \$ None | \$ N/A |
| Food | \$ None | \$ N/A |
| Clothing | \$ None | \$ N/A |
| Laundry and dry-cleaning | \$ None | \$ N/A |
| Medical and dental expenses | \$ None | \$ N/A |
| Transportation (not including motor vehicle payments) | \$ None | \$ N/A |
| Recreation, entertainment, newspapers, magazines, etc. | \$ None | \$ N/A |
| Insurance (not deducted from wages or included in mortgage payments) | | |
| Homeowner's or renter's: | \$ None | \$ N/A |
| Life: | \$ None | \$ N/A |
| Health: | \$ None | \$ N/A |
| Motor vehicle: | \$ None | \$ N/A |
| Other: | \$ None | \$ N/A |
| Taxes (not deducted from wages or included in mortgage payments) (specify): | \$ None | \$ N/A |
| Installment payments | | |
| Motor Vehicle: | \$ None | \$ N/A |
| Credit card (name): | \$ None | \$ N/A |
| Department store (name): | \$ None | \$ N/A |
| Other: | \$ None | \$ N/A |
| Alimony, maintenance, and support paid to others | \$ None | \$ N/A |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ None | \$ N/A |
| Other (specify): <i># 800.00 Surcharge #8,000.00 Fine</i> | \$ 8,800.00 | \$ N/A |
| Total monthly expenses: <i>Charged Quarterly</i> | \$ 25.00 | \$ N/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 spent — or will you be spending — any money for expenses or attorney fees in connection with this ~~lawsuit~~ ^{Petition}? Yes No

If yes, how much? \$ _____

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal. None

12. State the city and state of your legal residence. Currently in prison at USP Allenwood, P.O. Box 3000, White Deer, PA 17887.

Your daytime phone number: (—) None

Your age: 47 Your years of schooling: 10th Grade

Last four digits of your social-security number: 6088

Originally from Rochester, New York.