

No. _____

IN THE
Supreme Court of the United States

ROBERTO GRIEGO JIMENEZ,
PETITIONER,

V.

STATE OF TEXAS,
RESPONDENT.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Pursuant to Supreme Court Rule 39, the Petitioner, Roberto Griego Jimenez, through his attorney, Mike DeGeurin, requests that this Court grant him leave to proceed *in forma pauperis*. In support of this Motion, the Petitioner would respectfully show:

I.

Petitioner has not previously sought leave to proceed *in forma pauperis* in any other court during prior proceedings related to this action. Petitioner is no longer able to afford the costs associated with filing his Petition for Writ of Certiorari and requests that this Court grant him leave to file the Petition for Writ of Certiorari without prepayment of fees or costs *in forma pauperis*.

I declare under penalty of perjury under the laws of the United States of America, the foregoing is true and correct.

Respectfully submitted,

FOREMAN, DeGEURIN & DeGEURIN

A handwritten signature in blue ink, reading "Mike DeGeurin", with a horizontal line underneath.

Mike DeGeurin

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ATTORNEY FOR PETITIONER

**AFFIDAVIT ACCOMPANYING MOTION
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS**

Affidavit in Support of Motion	Instructions
<p>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.)</p> <p>Signed: <u></u></p>	<p>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.</p> <p>Date: <u>10/22/21</u></p>

My issues on appeal are: See Questions presented in Petition for Writ of Certiorari.

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	\$	\$	\$	\$
Self-employment	\$ 1,000	\$	\$	\$
Income from real property (such as rental income)	\$ 450	\$	\$	\$
Interest and dividends	\$	\$	\$	\$

Gifts	\$	\$	\$	\$
Alimony	\$	\$	\$	\$
Child support	\$	\$	\$	\$
Retirement (such as social security, pensions, annuities, insurance)	\$	\$	\$	\$
Disability (such as social security, insurance payments)	\$	\$	\$	\$
Unemployment payments	\$	\$	\$	\$
Public assistance (such as welfare)	\$	\$	\$	\$
Other (specify):	\$	\$	\$	\$
Total monthly income:	\$ 1,450	\$	\$	\$

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
RJ Audio & Security Systems	10026 Sageview Drive Houston, Texas 77089	2011- Present	\$ 1,000
			\$
			\$

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
			\$

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.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
Wells Fargo	Checking	\$ 100	\$
Sutton Bank	Checking	\$ 100	\$
		\$	\$

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.

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) \$	(Value) \$	(Value) \$ 2,200
		Make and year: 2007 Ford
		Model: F-150
		Registration #: 1FTRW12517FB42515

Motor vehicle #2	Other assets	Other assets
(Value) \$ 1,400	(Value) \$	(Value) \$
Make and year: 1991 Ford		
Model: Mustang		
Registration #: 1FALP47VOVF202610		

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
	\$	\$
	\$	\$
	\$	\$
	\$	\$

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

Name [or, if under 18, initials only]	Relationship	Age
L.J.	Son	5

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.*

	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 Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$	\$
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 800	\$
Home maintenance (repairs and upkeep)	\$ 500	\$
Food	\$ 400	\$
Clothing	\$ 300	\$

Laundry and dry-cleaning	\$ 100	\$
Medical and dental expenses	\$ 200	\$
Transportation (not including motor vehicle payments)	\$ 400	\$
Recreation, entertainment, newspapers, magazines, etc.	\$	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$	\$
Life:	\$	\$
Health:	\$	\$
Motor vehicle:	\$ 67	\$
Other:	\$	\$
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ 182	\$
Installment payments		
Motor Vehicle:	\$ 200	\$
Credit card (name): Capitol One	\$ 200	\$
Department store (name):	\$	\$
Other:	\$	\$
Alimony, maintenance, and support paid to others	\$ 400	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$	\$
Other (specify):	\$	\$
Total monthly expenses:	\$ 3,749	\$

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?* ☒ Yes ☐ No

If yes, how much? \$ \$50,000

11. *Provide any other information that will help explain why you cannot pay the docket fees for your appeal.*

Not enough income.

12. *State the city and state of your legal residence.*
Houston, Texas

Your daytime phone number: (346) 275 – 7303

Your age: 34 *Your years of schooling:* 17

Last four digits of your social-security number: 5144

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

Executed on 10/22/21, 2021.



ROBERTO GRIEGO JIMENEZ, PETITIONER