

No. 21-6218

**ORIGINAL**

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.  
FILED

NOV - 2 2021

MATTHEW MANUEL BARNETT— PETITIONER

OFFICE OF THE CLERK

VS.

THE PEOPLE OF THE STATE OF COLORADO— 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:

D Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

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X Petitioner has not previously been granted leave to proceed *in forma pauperis* in any other court.

X Petitioner's affidavit or declaration in support of this motion is attached hereto.

D Petitioner's affidavit or declaration is not attached because the court below appointed counsel in the current proceeding, and:

D The appointment was made under the following provision of law: \_\_\_\_\_  
\_\_\_\_\_, or

D A copy of the order of appointment is appended.



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

I, Matthew Manuel Barnett, 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.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
Employment Self-employment	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Interest and dividends	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Gifts	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Alimony	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Child Support	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Disability (such as social security, insurance payments)	\$ <u>141</u>	\$ <u>NA</u>	\$ <u>141</u>	\$ <u>NA</u>
Unemployment payments	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
<b>Total monthly income:</b>	<b>\$ <u>141</u></b>	<b>\$ <u>NA</u></b>	<b>\$ <u>141</u></b>	<b>\$ <u>NA</u></b>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
<u>DOC INMATE</u>	<u>Colorado</u>	<u>2019-2021</u>	<u>\$ 20</u>
			<u>\$</u>
			<u>\$</u>

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.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
<u>NA</u>			<u>\$</u>
			<u>\$</u>
			<u>\$</u>

4. How much cash do you and your spouse have? \$ \_\_\_\_\_  
 Below, state any money you or your spouse have in bank accounts or in any other financial institution.

<b>Type of account (e.g., checking or savings)</b>	<b>Amount you have</b>	<b>Amount your spouse has</b>
<u>The State Bank Checking</u>	<u>\$ 1,100</u>	<u>\$ NA</u>
<u>Great West(Retirement 401K)</u>	<u>\$ 11,800</u>	<u>\$ NA</u>
	<u>\$</u>	<u>\$ NA</u>

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

D Home  
 Value \_\_\_\_\_

D Other real estate  
 Value \_\_\_\_\_

X Motor Vehicle #1  
 Year, make & model 2001 Pontiac Bonneville  
 Value 500.00

D Motor Vehicle #2  
 Year, make & model \_\_\_\_\_  
 Value \_\_\_\_\_

X Other assets  
 Description Suzuki Motorcycle 2000  
 Value 400.00

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

<b>Person owing you or your spouse money</b>	<b>Amount owed to you</b>	<b>Amount owed to your spouse</b>
NA	\$ <u>NA</u>	\$ <u>NA</u>
	\$ <u>                  </u>	\$ <u>                  </u>
	\$ <u>                  </u>	\$ <u>                  </u>

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").

<b>Name</b>	<b>Relationship</b>	<b>Age</b>
LWF	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.

	<b>You</b>	<b>Your spouse</b>
Rent or home mortgage payment (include lot rented for mobile home)	\$ <u>0</u>	\$ <u>NA</u>
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)	\$ <u>0</u>	\$ <u>NA</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>NA</u>
Food	\$ <u>0</u>	\$ <u>NA</u>
Clothing	\$ <u>0</u>	\$ <u>NA</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>NA</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>NA</u>

	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ 0 _____	\$ <u>NA</u> _____
Recreation, entertainment, newspapers, magazines, etc.	\$ 0 _____	\$ <u>NA</u> _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0 _____	\$ <u>NA</u> _____
Life	\$ 0 _____	\$ <u>NA</u> _____
Health	\$ 0 _____	\$ <u>NA</u> _____
Motor Vehicle	\$ 0 _____	\$ <u>NA</u> _____
Other: _____	\$ 0 _____	\$ <u>NA</u> _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ 0 _____	\$ <u>NA</u> _____
Installment payments		
Motor Vehicle	\$ 0 _____	\$ <u>NA</u> _____
Credit card(s)	\$ 0 _____	\$ <u>NA</u> _____
Department store(s)	\$ 0 _____	\$ <u>NA</u> _____
Other: _____	\$ 0 _____	\$ <u>NA</u> _____
Alimony, maintenance, and support paid to others	\$ <u>254.70</u> _____	\$ <u>NA</u> _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0 _____	\$ <u>NA</u> _____
Other (specify): _____	\$ 0 _____	\$ <u>NA</u> _____
Total monthly expenses:	\$ <u>254.70</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?

D Yes  X 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?  D Yes  X No

If yes, how much? \_\_\_\_\_

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

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?

D Yes  X No

If yes, how much? \_\_\_\_\_

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

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

--As a prisoner of the state of Colorado I don't have access to 401k account and am currently catching up on my child support owed which is garnished from my inmate account as well.

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

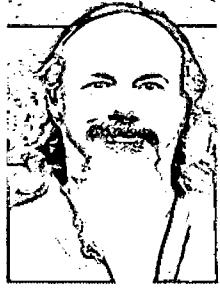
Executed on: 2<sup>nd</sup> Day of November, 2021

  
(Signature)



# STATEMENT OF ACCOUNT ACTIVITY

184882 - BARNETT, MATTHEW M



Facility: **DELTA, DCC/UNIT3**

Date/Time Printed: 11/02/2021 10:18 AM

Statement Period: 05/02/2021 - 11/02/2021



## STATEMENT OF ACCOUNT ACTIVITY

Date:Time	Description	Tran Amt	Balance	Available		Encumbrances		Available	
				Bef. W/H	Type	Amount	Total	Balance	FC
07/01/2021 19:52	Canteen #16022685 Hold	0.00	60.41	CANTEEN		60.39	60.39	0.02	
07/02/2021 15:38	9 CLERK	8.60	69.01	MANDATORY		1.72	62.11	6.90	DC
07/02/2021 15:43	3 DISHWASHER	9.40	78.41	MANDATORY		1.88	63.99	14.42	DC
07/06/2021 16:29	Canteen #16032277 Hold	0.00	78.41	CANTEEN		2.50	66.49	11.92	
07/07/2021 06:45	Canteen Ord#16022685	-60.39	18.02			0.00	6.10	11.92	DC
07/08/2021 08:01	Canteen #16043154 Hold	0.00	18.02	CANTEEN		6.02	12.12	5.90	
07/09/2021 06:58	Canteen Ord#16043154	-6.02	12.00			0.00	6.10	5.90	DC
07/12/2021 12:03	XEROX-DEBIT	-5.00	7.00			0.00	6.10	0.90	DC
07/18/2021 23:44	JPAY CREDIT	125.00	132.00	MANDATORY		25.00	31.10	100.90	DC
07/21/2021 23:26	JPAY CREDIT	50.00	182.00	MANDATORY		10.00	41.10	140.90	DC
07/22/2021 07:21	Canteen #16070127 Hold	0.00	182.00	CANTEEN		93.64	134.74	47.26	
07/23/2021 07:03	Canteen Ord#16070127	-93.64	88.36			0.00	41.10	47.26	DC
07/29/2021 08:32	Canteen #16082707 Hold	0.00	88.36	CANTEEN		14.52	55.62	32.74	
07/30/2021 00:23	CHILD	-38.60	49.76			0.00	17.02	32.74	DC
	SUPPORT-13643853								
07/30/2021 07:13	Canteen Ord#16082707	-14.52	35.24			0.00	2.50	32.74	DC
08/02/2021 07:05	Canteen Ord#16032277	-2.50	32.74			0.00	0.00	32.74	DC
08/03/2021 15:52	9 CLERK	18.92	51.66	MANDATORY		3.78	3.78	47.88	DC
08/05/2021 06:46	Canteen #16094154 Hold	0.00	51.66	CANTEEN		34.88	38.66	13.00	
08/06/2021 06:36	Canteen Ord#16094154	-34.88	16.78			0.00	3.78	13.00	DC
08/08/2021 23:39	JPAY CREDIT	75.00	91.78	MANDATORY		15.00	18.78	73.00	DC
08/09/2021 11:08	XEROX-DEBIT	-2.25	89.53			0.00	18.78	70.75	DC
08/12/2021 07:34	Canteen #16117504 Hold	0.00	89.53	CANTEEN		29.09	47.87	41.66	
08/13/2021 06:58	Canteen Ord#16117504	-29.09	60.44			0.00	18.78	41.66	DC
08/16/2021 12:18	XEROX-DEBIT	-4.75	55.69			0.00	18.78	36.91	DC
08/17/2021 12:51	DONATIONS-DEBIT	-5.00	50.69			0.00	18.78	31.91	DC
08/19/2021 08:59	Canteen #16134225 Hold	0.00	50.69	CANTEEN		20.62	39.40	11.29	
08/20/2021 06:53	Canteen Ord#16134225	-20.62	30.07			0.00	18.78	11.29	DC
08/24/2021 13:24	XEROX-DEBIT	-3.00	27.07			0.00	18.78	8.29	DC
08/26/2021 09:41	Canteen #16146278 Hold	0.00	27.07	CANTEEN		6.63	25.41	1.66	
08/27/2021 11:37	Canteen Ord#16146278	-6.63	20.44			0.00	18.78	1.66	DC
08/30/2021 13:52	KEY/LOCK DEBIT	-3.00	17.44			0.00	18.78	-1.34	DC
08/31/2021 00:23	CHILD	-18.78	-1.34			0.00	0.00	0.00	DC
	SUPPORT-13643853								
09/03/2021 15:54	9 CLERK	11.18	9.84	MANDATORY		2.24	2.24	7.60	DC
09/03/2021 16:26	1 STUDENT	7.74	17.58	MANDATORY		1.55	3.79	13.79	DC
09/09/2021 07:55	Canteen #16178792 Hold	0.00	17.58	CANTEEN		0.77	4.56	13.02	
09/10/2021 07:37	Canteen Ord#16178792	-0.77	16.81			0.00	3.79	13.02	DC
09/10/2021 13:36	XEROX-DEBIT	-0.75	16.06			0.00	3.79	12.27	DC



# STATEMENT OF ACCOUNT ACTIVITY

Date:Time	Description	Tran Amt	Balance	Available Bef. W/H	Type	Encumbrances Amount	Total	Available Balance	FC
09/16/2021 08:15	Canteen #16193379 Hold	0.00	16.06	16.06	CANTEEN	11.79	15.58	0.48	
09/20/2021 07:02	Canteen Ord#16193379	-11.79	4.27	4.27		0.00	3.79	0.48	DC
09/21/2021 14:15	POSTAGE-DEBIT	-3.03	1.24	1.24		0.00	3.79	-2.55	DC
09/30/2021 00:23	CHILD	-3.79	-2.55	0.00		0.00	0.00	0.00	DC
	SUPPORT-13643853								
10/05/2021 16:15	1 STUDENT	18.92	16.37	16.37	MANDATORY	3.78	3.78	12.59	DC
10/07/2021 06:55	Canteen #16236452 Hold	0.00	16.37	16.37	CANTEEN	6.44	10.22	6.15	
10/11/2021 06:20	Canteen Ord#16236452	-6.44	9.93	9.93		0.00	3.78	6.15	DC
10/18/2021 14:52	XEROX-DEBIT	-1.00	8.93	8.93		0.00	3.78	5.15	DC
10/20/2021 23:38	JPAY CREDIT	100.00	108.93	108.93	MANDATORY	20.00	23.78	85.15	DC
10/21/2021 08:43	Canteen #16265675 Hold	0.00	108.93	108.93	CANTEEN	56.91	80.69	28.24	
10/22/2021 15:47	Canteen Ord#16265675	-56.91	52.02	52.02		0.00	23.78	28.24	DC
10/28/2021 07:08	Canteen #16276321 Hold	0.00	52.02	52.02	CANTEEN	14.27	38.05	13.97	
10/29/2021 00:21	CHILD	-23.78	28.24	28.24		0.00	14.27	13.97	DC
	SUPPORT-13643853								
10/29/2021 06:47	Canteen Ord#16276321	-14.27	13.97	13.97		0.00	0.00	13.97	DC
11/02/2021 23:58	Ending Balance	0.00	13.97	13.97		0.00	0.00	13.97	

**Total Deposits:** 770.65

**Total Withdrawals:** 771.10

Account Information as of 11/02/2021 10:18

Status: ACTIVE	Current Balance: \$13.97	Total Money In Hold: \$0.00
	Total Reserved/Encumbered: \$0.00	Available Balance: \$13.97

## Statement Information

Date:Time	reflects the transaction date and time of deposits and withdrawals to the account during the statement period.
Description	is a brief memorandum describing the transaction.
Tran Amt	is the amount of the transaction; deposits are shown as a positive number, withdrawals are shown as a negative number.
Balance	is the actual balance of the account. All deposits and withdrawals are added and subtracted from the 'Balance'. If an account has a negative balance an 'Available Balance' will be derived according to AR 200-2.
Available Before W/H	is the derived available balance where 50% of deposits are made available when the actual account balance prior to deposit is a negative amount (Ref. AR 200-2). This amount is derived prior to mandatory withholding.
Encumbrances	are amounts placed on hold pending further processing by the banking system, such as when a canteen order is posted or a deposit is subject to mandatory garnishment rules. The amount, type of hold, and a total (as of the Date:Time) is reported.
Available Balance	shows monies available for withdrawal at the end of the transaction. The time precision for all transactions is to the minute; encumbrance total may duplicate for multiple transactions if the transaction date and time are identical.
FC	(Facility Code) is the offender's facility assignment at the date and time the transaction was posted to the account, not the originating source of the transaction.

**NOTICE: This statement may not include most recent Withdrawals or Deposits.**