

N. BYERLY  
880598 VMS  
13400 Pleasant Valley Rd.  
Kuna Idaho 83634

ORIGINAL

21-6261

No. \_\_\_\_\_

Supreme Court, U.S.  
FILED

AUG - 2 2021

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

NATHAN BYERLY — PETITIONER

(Your Name)

VS.

UNITED STATES, DISTRICT OF IDAHO;  
STATE OF IDAHO, ADA COUNTY, RESPONDENT(S)  
(et al.) (short-title)

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*.

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

DISTRICT OF IDAHO, NINTH US CIRCUIT COURT OF  
APPEAL

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.

DATED THIS 26th Day of July, 2021, X80598  
26 July 2021 (Signature)

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N. BYERLY  
86898 MS1  
13400 Pleasant Valley Rd.  
Knoxville 37932

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

I, NATHAN BYERLY, 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>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

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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
None	_____	_____	\$_____
	_____	_____	\$_____
	_____	_____	\$_____

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? \$ B  
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
_____	_____	\$_____	\$_____
_____	_____	\$_____	\$_____
_____	_____	\$_____	\$_____

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

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

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

Motor Vehicle #1  
Year, make & model \_\_\_\_\_  
Value \_\_\_\_\_

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

Other assets  
Description Multiple claims to be processed and satisfied  
Value Not Valuable at equity presently  
302. Earth at 13500 Pleasant Valley Rd.  
Kuna (Idaho 83634)

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
<i>P</i>	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
<i>B</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, or annually to show the monthly rate.

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

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

TOTAL EXPENSES OF  
PRISON

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.

Always told to be an optimist, it might get 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? ?

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

i do not know what attorney might take up the case and go on my behalf or what anything about money, but i can hope for assistance

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? ?

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

see herein at "10" above, i can always hope that someone will assist me in bringing truth to justice and hope for the lowest prisone

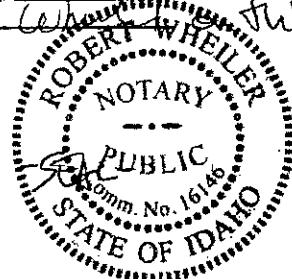
12. Provide any other information that will help explain why you cannot pay the costs of this case.

i do not have anything at this time and location to pay the costs of this case with.

By AFFIRMATION

I declare under penalty of perjury that the foregoing is true and correct, ~~pro loco et tempore~~,

DATED 26 July 2021, NATHAN BURRY APPEARED before me  
Executed on: Robert C. Wheeler this 26 day of July, 2021, for VERIFICATION



By Robert C. Wheeler  
Notary Public for Idaho  
(Signature)  
Commission Expires  
11/2022

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## Offender Account Activity

(7/1/2020 - 7/26/2021)

Trans Date	Trans Type	Offender Number	Offender Name	Living Unit	Received From	Paid To	Trans Amount	Starting Balance	Ending Balance
03/03/2021	Postage Payable	0080598	BYERLY, NATHAN BENJAMIN	B		Purchase Power	\$6.60	(\$0.50)	\$7.10
03/02/2021	Postage Payable	0080598	BYERLY, NATHAN BENJAMIN	B		Purchase Power	\$0.00	(\$6.60)	(\$6.60)
03/02/2021	Postage Payable	0080598	BYERLY, NATHAN BENJAMIN	B		Purchase Power	\$0.00	(\$6.60)	(\$6.60)
01/27/2021	Medical Payable	0080598	BYERLY, NATHAN BENJAMIN	B	Medical - IDOC	\$2.50	(\$2.00)	\$0.50	\$0.50
01/26/2021	State Court Filing Fee	0080598	BYERLY, NATHAN BENJAMIN	B	IDAHO DEPARTMENT OF CORRECTION	\$15.00	(\$12.50)	\$2.50	\$2.50
01/26/2021	State Court Filing Fee	0080598	BYERLY, NATHAN BENJAMIN	B	IDAHO, U.S. DISTRICT COURT	\$20.00	(\$5.00)	\$15.00	\$15.00
01/26/2021	Court Ordered Fecion	0080598	BYERLY, NATHAN BENJAMIN	B	IDAHO DEPARTMENT OF CORRECTION	\$25.00	(\$5.00)	\$20.00	\$20.00
01/26/2021	Keefe	0080598	BYERLY, NATHAN BENJAMIN	B	BRUCE CLOTHIER	\$0.00	\$25.00	\$25.00	\$25.00
01/08/2021	State Court Filing Fee	0080598	BYERLY, NATHAN BENJAMIN	B	IDAHO DEPARTMENT OF CORRECTION	\$8.99	(\$8.99)	\$0.00	\$0.00
01/08/2021	Court Ordered Fecion	0080598	BYERLY, NATHAN BENJAMIN	B	IDAHO, U.S. DISTRICT COURT	\$12.99	(\$4.00)	\$8.99	\$8.99
01/08/2021	Keefe	0080598	BYERLY, NATHAN BENJAMIN	B	Jesse Byery	(\$3.00)	\$19.99	\$16.99	\$16.99

I hereby certify that these records are true and correct copies of official records or reports or entries thereof of the Idaho Department of Correction.

Dated: 7/26/2021  
Signature: Jesse Byery