

No:

IN THE  
SUPREME COURT OF THE UNITED STATES

DANIEL ANGEL RODRIGUEZ,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

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Petitioner, Daniel Angel Rodriguez, pursuant to SUP CT. R. 39.1, respectfully moves for leave to file the accompanying petition for a writ of certiorari in this Court without payment of costs and to proceed *in forma pauperis*.

Pursuant to SUP. CT. R 39.1, Petitioner's declaration in support of this motion is attached. Petitioner has been previously been granted leave to proceed *in forma pauperis* by the U.S. District Court for the Southern District of Florida (Case No. 17-cr-20904, Dist. Ct. ECF Nos. 498, 610, 637, and Case No. 94-cr-402, Dist. Ct. ECF Nos. 147, 185) and in the U.S. Court of Appeals for the Eleventh Circuit (Case Nos. 95-4549, 09-11582, 20-10563, 20-11153, 20-11235, 20-14114, 21-12132).

MICHAEL CARUSO  
Federal Public Defender

Ft. Lauderdale, Florida  
December 14, 2021

By: /s/ Andrew L. Adler  
Andrew L. Adler  
Assistant Federal Public Defender  
1 E. Broward Blvd., Suite 1100  
Ft. Lauderdale, FL 33301  
(954) 356-7436

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

I, Danny Rodriguez, 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>N/A</u>	\$ <u>N/A</u>	\$ _____	\$ _____
Self-employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ _____	\$ _____
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ _____	\$ _____
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ _____	\$ _____
Gifts	\$ <u>200.00</u>	\$ _____	\$ _____	\$ _____
Alimony	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Child Support	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
<b>Total monthly income:</b>	\$ <u>200.00</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
National Services Inc.	13301 SW 89th Pl. Miami FL 33176	2016 2017	\$ 2,000 \$ \$

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
N/A			\$ \$ \$

4. How much cash do you and your spouse have? \$ NONE  
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
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 N/A

☐ Other real estate  
Value N/A

☐ Motor Vehicle #1  
Year, make & model N/A  
Value \_\_\_\_\_

☐ Motor Vehicle #2  
Year, make & model N/A  
Value \_\_\_\_\_

☐ Other assets  
Description N/A  
Value \_\_\_\_\_

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

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. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
<u>Yanna R Cheif</u>	<u>Wife</u>	<u>31</u>
<u>Mayla Cheif</u>	<u>Step-daughter</u>	<u>10</u>
_____	_____	_____

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)	\$ <u>N/A</u>	\$ <u>400.00</u>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>In Argentina</u>
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>N/A</u>	\$ <u>80.00</u>
Home maintenance (repairs and upkeep)	\$ <u>N/A</u>	\$ _____
Food	\$ <u>N/A</u>	\$ <u>100.00</u>
Clothing	\$ <u>N/A</u>	\$ <u>100.00</u>
Laundry and dry-cleaning	\$ <u>N/A</u>	\$ <u>50.00</u>
Medical and dental expenses	\$ <u>N/A</u>	\$ <u>50.00</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>N/A</u>	\$ <u>Uber</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>N/A</u>	\$ <u>50.00</u>
Insurance (not deducted from wages or included in mortgage payments)	<u>N/A</u>	
Homeowner's or <u>renter's</u>	\$ _____	\$ <u>Homeowner's</u>
Life	\$ _____	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)	<u>N/A</u>	
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ _____	\$ _____
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	<u>N/A</u>	
Other (specify): _____	\$ _____	\$ _____
<b>Total monthly expenses:</b>	\$ _____	\$ _____

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? My Parents and Family Paid attorney

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

Ana Davide  
Ramon Hernandez

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

My elder Parents and family together paid cost asst. to my case.

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.

I am incarcerated and have no funds - to pursue private help.

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

Executed on:

Oct 26, 2021

(Signature)