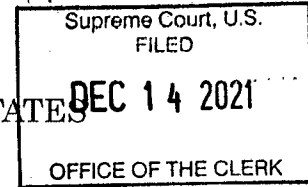


No. 21-6675

IN THE
SUPREME COURT OF THE UNITED STATES



Robert JW McClelland — PETITIONER
(Your Name)

VS.

Rick Raemisch et al. — 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):

The U.S. District Court for the District of Colorado

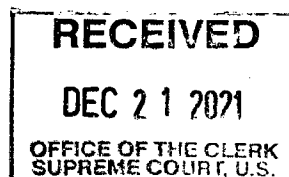
☐ Petitioner has not previously been granted leave to proceed *in forma pauperis* in any other court.

☐ 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.



[Signature]
(Signature)

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

I, Robert JW McClelland _____, 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 Self-	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
employment	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
Income from real property (such as rental income)	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
Interest and dividends	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
Gifts	\$ 120.00 _____	\$ _____	\$ 120.00 _____	\$ _____
Alimony	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
Child Support	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
Disability (such as social security, insurance payments)	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
Unemployment payments	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
Public-assistance (such as welfare)	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
Other (specify): _____	\$ 0 _____	\$ _____	\$ 0 _____	\$ _____
Total monthly income:	\$ 120.00 _____	\$ _____	\$ 120.00 _____	\$ _____

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
			\$ n/a
			\$
			\$

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? \$ 15,000.00
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
401k retirement through the City of Grand Junction.	\$ 15,000.00 +/-	\$ n/a
	\$	\$
Correctional Industries savings	\$ 200.00 +/-	\$ n/a

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 0

D Other real estate
Value 0

D Motor Vehicle #1
Year, make & model
Value 0

D Motor Vehicle #2
Year, make & model
Value 0

D Other assets
Description
Value 0

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
_____	\$ _____	\$ _____
N/A	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
_____	_____	_____
N/A	_____	_____
_____	_____	_____

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)	\$0 _____	\$ _____
Are real estate taxes included? D Yes D No		
Is property insurance included? D Yes D No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0 _____	\$ _____
Home maintenance (repairs and upkeep)	\$ 0 _____	\$ _____
Food	\$ 0 120.00 +/-	\$ _____
Clothing	\$ 0 _____	\$ _____
Laundry and dry-cleaning	\$ 0 _____	\$ _____
Medical and dental expenses	\$ 0 _____	\$ _____

	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>0 120.00</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.

The retirement account I have associated with the City of Grand Junction has a steep penalty upon withdrawal of funds. As I understand, not all the money has vested because I was short of my required length of employment. I am willing to Withdraw money from my accounts to satisfy the fees, however, I need time to set up the necessary power of attorney forms.

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

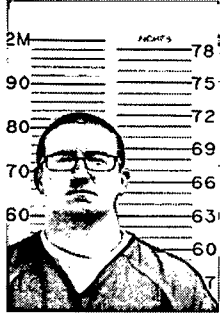
correct. Executed on: 12/12/21, 2021



(Signature)



STATEMENT OF ACCOUNT ACTIVITY



155317 - MCCLELLAND, ROBERT J

Facility: **BVMC, BM/C UNIT**

Date/Time Printed: **12/10/2021 09:16 AM**

Statement Period: 06/01/2021 - 12/10/2021

Date:Time	Description	Tran Amt	Balance	Available Bef. W/H	Type	Encumbrances Amount	Total	Available Balance	FC
06/01/2021 00:00	Beginning Balance	0.00	142.93	142.93			24.00	118.93	
06/01/2021 15:34	1 CUSTODIAN	7.74	150.67	150.67	MANDATORY	1.55	25.89	124.78	BM
06/01/2021 15:34	1 CUSTODIAN	1.72	152.39	152.39	MANDATORY	0.34	25.89	126.50	BM
06/02/2021 07:14	Canteen #15961581 Hold	0.00		152.39	CANTEEN	59.31	85.20	67.19	
06/03/2021 06:40	Canteen Ord#15961581	-59.31	93.08	93.08		0.00	25.89	67.19	BM
06/04/2021 09:27	1 STUDENT	6.88	99.96	99.96	MANDATORY	1.38	27.27	72.69	BM
06/04/2021 13:07	XEROX-DEBIT	-0.75	99.21	99.21		0.00	27.27	71.94	BM
06/08/2021 12:40	XEROX-DEBIT	-3.75	95.46	95.46		0.00	27.27	68.19	BM
06/09/2021 07:14	Canteen #15986361 Hold	0.00		95.46	CANTEEN	52.21	79.48	15.98	
06/10/2021 06:38	Canteen Ord#15986361	-52.21	43.25	43.25		0.00	27.27	15.98	BM
06/21/2021 08:08	Canteen #16009960 Hold	0.00		43.25	CANTEEN	6.96	34.23	9.02	
06/22/2021 06:28	Canteen Ord#16009960	-6.96	36.29	36.29		0.00	27.27	9.02	BM
06/29/2021 23:28	JPAY CREDIT	320.00	356.29	356.29	MANDATORY	64.00	91.27	265.02	BM
06/30/2021 00:38	RESTITUTION-10CR323	-91.27	265.02	265.02		0.00	0.00	265.02	BM
07/06/2021 11:12	POSTAGE-DEBIT	-2.00	263.02	263.02		0.00	0.00	263.02	BM
07/06/2021 15:34	Canteen #16030509 Hold	0.00		263.02	CANTEEN	5.46	5.46	257.56	
07/06/2021 16:15	1 STUDENT	6.02	269.04	269.04	MANDATORY	1.20	8.56	260.48	BM
07/06/2021 16:15	1 STUDENT	3.44	272.48	272.48	MANDATORY	0.69	8.56	263.92	BM
07/06/2021 16:15	1 STUDENT	3.44	275.92	275.92	MANDATORY	0.69	8.56	267.36	BM
07/06/2021 16:15	1 STUDENT	2.58	278.50	278.50	MANDATORY	0.52	8.56	269.94	BM
07/07/2021 07:28	Canteen #16041141 Hold	0.00		278.50	CANTEEN	60.56	69.12	209.38	
07/07/2021 15:43	POSTAGE-DEBIT	-2.13	276.37	276.37		0.00	69.12	207.25	BM
07/07/2021 16:18	XEROX-DEBIT	-1.00	275.37	275.37		0.00	69.12	206.25	BM
07/09/2021 06:38	Canteen Ord#16041141	-60.56	214.81	214.81		0.00	8.56	206.25	BM
07/14/2021 11:48	Canteen #16054678 Hold	0.00		214.81	CANTEEN	22.80	31.36	183.45	
07/15/2021 06:34	Canteen Ord#16054678	-22.80	192.01	192.01		0.00	8.56	183.45	BM
07/21/2021 06:57	Canteen #16069034 Hold	0.00		192.01	CANTEEN	28.54	37.10	154.91	
07/22/2021 07:11	Canteen Ord#16069034	-28.54	163.47	163.47		0.00	8.56	154.91	BM
07/26/2021 11:23	POSTAGE-DEBIT	-5.55	157.92	157.92		0.00	8.56	149.36	BM
07/28/2021 07:39	Canteen #16080132 Hold	0.00		157.92	CANTEEN	44.84	53.40	104.52	
07/29/2021 06:45	Canteen Ord#16080132	-44.84	113.08	113.08		0.00	8.56	104.52	BM



STATEMENT OF ACCOUNT ACTIVITY

Date:Time	Description	Tran Amt	Balance	Available Bef. W/H	Type	Encumbrances Amount	Total	Available Balance	FC
07/30/2021 00:37	RESTITUTION-10CR323	-3.10	109.98	109.98		0.00	5.46	104.52	BM
08/02/2021 07:05	Canteen Ord#16030509	-5.46	104.52	104.52		0.00	0.00	104.52	BM
08/02/2021 16:17	1 STUDENT	4.30	108.82	108.82	MANDATORY	0.86	2.93	105.89	BM
08/02/2021 16:17	1 STUDENT	2.58	111.40	111.40	MANDATORY	0.52	2.93	108.47	BM
08/02/2021 16:17	1 STUDENT	7.74	119.14	119.14	MANDATORY	1.55	2.93	116.21	BM
08/04/2021 07:58	Canteen #16091249 Hold	0.00		119.14	CANTEEN	21.61	24.54	94.60	
08/05/2021 06:33	Canteen Ord#16091249	-21.61	97.53	97.53		0.00	2.93	94.60	BM
08/10/2021 10:25	POSTAGE-DEBIT	-4.80	92.73	92.73		0.00	2.93	89.80	BM
08/11/2021 08:11	Canteen #16114006 Hold	0.00		92.73	CANTEEN	29.76	32.69	60.04	
08/13/2021 06:57	Canteen Ord#16114006	-29.76	62.97	62.97		0.00	2.93	60.04	BM
08/13/2021 23:26	JPAY CREDIT	120.00	182.97	182.97	MANDATORY	24.00	26.93	156.04	BM
08/18/2021 08:18	Canteen #16130495 Hold	0.00		182.97	CANTEEN	50.47	77.40	105.57	
08/20/2021 06:51	Canteen Ord#16130495	-50.47	132.50	132.50		0.00	26.93	105.57	BM
08/25/2021 08:31	Canteen #16143813 Hold	0.00		132.50	CANTEEN	50.85	77.78	54.72	
08/26/2021 06:47	Canteen Ord#16143813	-50.85	81.65	81.65		0.00	26.93	54.72	BM
08/30/2021 06:52	Canteen Cred#16149724	2.42	84.07	84.07		0.00	26.93	57.14	BM
08/31/2021 00:36	RESTITUTION-10CR323	-26.93	57.14	57.14		0.00	0.00	57.14	BM
09/01/2021 07:53	Canteen #16156863 Hold	0.00		57.14	CANTEEN	45.94	45.94	11.20	
09/01/2021 16:20	1 STUDENT	2.58	59.72	59.72	MANDATORY	0.52	46.46	13.26	BM
09/02/2021 07:03	Canteen Ord#16156863	-45.94	13.78	13.78		0.00	0.52	13.26	BM
09/02/2021 07:25	Canteen Cred#16157903	3.72	17.50	17.50		0.00	0.52	16.98	BM
09/02/2021 23:26	JPAY CREDIT	120.00	137.50	137.50	MANDATORY	24.00	24.52	112.98	BM
09/03/2021 15:57	5 WAREHOUSE	9.46	146.96	146.96	MANDATORY	1.89	26.41	120.55	BM
09/03/2021 16:20	1 UNA GOODWIN	2.31	149.27	149.27	MANDATORY	0.46	26.87	122.40	BM
09/08/2021 08:39	Canteen #16176970 Hold	0.00		149.27	CANTEEN	24.68	51.55	97.72	
09/09/2021 11:47	Canteen Ord#16176970	-24.68	124.59	124.59		0.00	26.87	97.72	BM
09/09/2021 13:47	XEROX-DEBIT	-6.00	118.59	118.59		0.00	26.87	91.72	BM
09/22/2021 08:10	Canteen #16205425 Hold	0.00		118.59	CANTEEN	27.80	54.67	63.92	
09/23/2021 06:56	Canteen Ord#16205425	-27.80	90.79	90.79		0.00	26.87	63.92	BM
09/27/2021 07:45	Canteen #16215139 Hold	0.00		90.79	CANTEEN	24.75	51.62	39.17	
09/28/2021 06:35	Canteen Ord#16215139	-24.75	66.04	66.04		0.00	26.87	39.17	BM
09/29/2021 00:06	JPAY CREDIT	120.00	186.04	186.04	MANDATORY	24.00	50.87	135.17	BM
09/30/2021 00:36	RESTITUTION-10CR323	-50.87	135.17	135.17		0.00	0.00	135.17	BM
10/05/2021 16:34	5 WAREHOUSE	17.20	152.37	152.37	MANDATORY	3.44	3.44	148.93	BM
10/06/2021 07:53	Canteen #16234777 Hold	0.00		152.37	CANTEEN	53.86	57.30	95.07	
10/06/2021 09:21	Canteen #16230917 Hold	0.00		152.37	CANTEEN	13.56	70.86	81.51	
10/07/2021 06:48	Canteen Ord#16234777	-53.86	98.51	98.51		0.00	17.00	81.51	BM
10/13/2021 15:34	POSTAGE-DEBIT	-3.19	95.32	95.32		0.00	17.00	78.32	BM
10/20/2021 08:16	Canteen #16262326 Hold	0.00		95.32	CANTEEN	50.85	67.85	27.47	



STATEMENT OF ACCOUNT ACTIVITY

Date:Time	Description	Tran Amt	Balance	Available Bef. W/H	Type	Encumbrances Amount	Total	Available Balance	FC
10/20/2021 17:03	XEROX-DEBIT	-1.75	93.57	93.57		0.00	67.85	25.72	BM
10/21/2021 07:06	Canteen Ord#16230917	-13.56	80.01	80.01		0.00	54.29	25.72	BM
10/22/2021 06:44	Canteen Ord#16262326	-50.85	29.16	29.16		0.00	3.44	25.72	BM
10/29/2021 00:35	RESTITUTION-10CR323	-3.44	25.72	25.72		0.00	0.00	25.72	BM
11/02/2021 14:03	5 WAREHOUSE	14.62	40.34	40.34	MANDATORY	2.92	2.92	37.42	BM
11/02/2021 23:24	JPAY CREDIT	120.00	160.34	160.34	MANDATORY	24.00	26.92	133.42	BM
11/03/2021 07:51	Canteen #16286592 Hold	0.00		160.34	CANTEEN	16.69	43.61	116.73	
11/04/2021 06:40	Canteen Ord#16286592	-16.69	143.65	143.65		0.00	26.92	116.73	BM
11/10/2021 08:44	Canteen #16308165 Hold	0.00		143.65	CANTEEN	37.95	64.87	78.78	
11/11/2021 08:01	Canteen Ord#16308165	-37.95	105.70	105.70		0.00	26.92	78.78	BM
11/15/2021 13:18	POSTAGE-DEBIT	-1.56	104.14	104.14		0.00	26.92	77.22	BM
11/15/2021 13:32	XEROX-DEBIT	-7.00	97.14	97.14		0.00	26.92	70.22	BM
11/17/2021 07:27	Canteen #16319924 Hold	0.00		97.14	CANTEEN	12.51	39.43	57.71	
11/18/2021 06:41	Canteen Ord#16319924	-12.51	84.63	84.63		0.00	26.92	57.71	BM
11/30/2021 00:35	RESTITUTION-10CR323	-26.92	57.71	57.71		0.00	0.00	57.71	BM
12/01/2021 10:02	Canteen #16345102 Hold	0.00		57.71	CANTEEN	36.75	36.75	20.96	
12/02/2021 07:09	Canteen Ord#16345102	-36.75	20.96	20.96		0.00	0.00	20.96	BM
12/02/2021 13:14	5 WAREHOUSE	16.34	37.30	37.30	MANDATORY	3.27	3.27	34.03	BM
12/03/2021 00:00	MEDICAL APPOINT	-3.00	34.30	34.30		0.00	3.27	31.03	BM
12/06/2021 13:33	Canteen #16355853 Hold	0.00		34.30	CANTEEN	3.08	6.35	27.95	
12/07/2021 16:42	XEROX-DEBIT	-3.75	30.55	30.55		0.00	6.35	24.20	BM
12/08/2021 07:57	Canteen #16365899 Hold	0.00		30.55	CANTEEN	23.94	30.29	0.26	
12/09/2021 07:11	Canteen Ord#16365899	-23.94	6.61	6.61		0.00	6.35	0.26	BM
12/10/2021 23:58	Ending Balance	0.00	6.61	6.61		0.00	6.35	0.26	

Total Deposits: 915.09

Total Withdrawals: 1,051.41

Account Information as of 12/10/2021 09:16

Status: ACTIVE

Current Balance: \$6.61

Total Money In Hold: \$0.00

Total Reserved/Encumbered: \$6.35

Available Balance: \$0.26

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.



STATEMENT OF ACCOUNT ACTIVITY

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.

Printed and Certified by Maria Klob, CDOC Legal Assistant