

CARL K. THOMPSON  
ID No. 123486  
WCC  
10 Chugach Avenue  
Kenai, Alaska 99611

21-6724

## ORIGINAL

Petitioner pro se

Supreme Court, U.S.  
FILED

DEC 13 2021

OFFICE OF THE CLERK

IN THE SUPREME COURT OF THE UNITED STATES

CARL K. THOMPSON,

Petitioner,

V.

STATE OF ALASKA,

{ Case No.

### Respondent.

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MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The Petitioner requests leave to file the attached Petition for Writ of Certiorari without prepayment of the required filing fee, and to proceed in forma pauperis in this matter.

The Petitioner submits the following documents with this motion: (1) financial affidavit/declaration; and (2) Order from the Alaska Supreme Court, showing the court granted Petitioner a "reduced filing fee" when he filed his Petition for Hearing in that court, on August 30, 2021.

Dated this 15th day of December, 2021, at Kenai, Alaska.

/s/   
Carl K. Thompson  
Petitioner

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

I, Carl Thompson, 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   | \$ <u>33.75</u>   | \$ <u>—</u>   | \$ <u>33.75</u>                   | \$ <u>—</u>   |
| Self-employment  | \$ <u>N/A</u>   | \$ <u>—</u>   | \$ <u>—</u>                       | \$ <u>—</u>   |
| Income from real property (such as rental income)                    | \$ <u>none</u>  | \$ <u>—</u>   | \$ <u>none</u>                    | \$ <u>—</u>   |
| Interest and dividends   | \$ <u>none</u>  | \$ <u>—</u>   | \$ <u>none</u>                    | \$ <u>—</u>   |
| Gifts  | \$ <u>500</u>   | \$ <u>—</u>   | \$ <u>200</u>                     | \$ <u>—</u>   |
| Alimony  | \$ <u>none</u>  | \$ <u>—</u>   | \$ <u>none</u>                    | \$ <u>—</u>   |
| Child Support  | \$ <u>none</u>  | \$ <u>—</u>   | \$ <u>none</u>                    | \$ <u>—</u>   |
| Retirement (such as social security, pensions, annuities, insurance) | \$ <u>none</u>  | \$ <u>—</u>   | \$ <u>none</u>                    | \$ <u>—</u>   |
| Disability (such as social security, insurance payments)             | \$ <u>none</u>  | \$ <u>—</u>   | \$ <u>none</u>                    | \$ <u>—</u>   |
| Unemployment payments  | \$ <u>none</u>  | \$ <u>—</u>   | \$ <u>none</u>                    | \$ <u>—</u>   |
| Public-assistance (such as welfare)                                  | \$ <u>none</u>  | \$ <u>—</u>   | \$ <u>none</u>                    | \$ <u>—</u>   |
| Other (specify): _____   | \$ <u>none</u>  | \$ <u>—</u>   | \$ <u>none</u>                    | \$ <u>—</u>   |
| <b>Total monthly income:</b>   | \$ <u>33.75</u>   | \$ <u>—</u>   | \$ <u>33.75</u>                   | \$ <u>—</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 |
|----------|-------------------|---------------------|-------------------|
| DOC      | 10 Chugach Avenue | 5/26/17             | \$ 34.00          |
| DOC      | Kenai, AK         | 9/15/84             | \$ 20.00          |
|          |                   |                     | \$                |

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 |
|----------|---------|---------------------|-------------------|
| none     | none    | none                | \$ none           |
|          |         |                     | \$                |
|          |         |                     | \$ 1              |

4. How much cash do you and your spouse have? \$ 62.57

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 |
|---|-----------------|------------------------|
| Inmate Trust Account                        | \$ 62.57        | \$ none                |
|   | \$              | \$                     |
|   | \$              | \$ 1                   |

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

Home  
Value none

Other real estate  
Value none

Motor Vehicle #1  
Year, make & model none  
Value \_\_\_\_\_

Motor Vehicle #2  
Year, make & model none  
Value \_\_\_\_\_

Other assets  
Description none  
Value \_\_\_\_\_

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 |
|---------------------------------------|--------------------|----------------------------|
| <u>none</u>                           | <u>\$ none</u>     | <u>\$ none</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").

| Name  | Relationship | Age   |
|-------|--------------|-------|
| _____ | _____        | _____ |
| _____ | _____        | _____ |
| _____ | _____        | _____ |

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<br>(include lot rented for mobile home)                    | <u>\$ none</u>  | <u>\$ none</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,<br>water, sewer, and telephone)                    | <u>\$ none</u>  | <u>\$ none</u> |
| Home maintenance (repairs and upkeep)  | <u>\$ none</u>  | <u>\$ none</u> |
| Food   | <u>\$ 25.00</u> | <u>\$ none</u> |
| Clothing   | <u>\$ none</u>  | <u>\$ none</u> |
| Laundry and dry-cleaning   | <u>\$ none</u>  | <u>\$ none</u> |
| Medical and dental expenses  | <u>\$ none</u>  | <u>\$ none</u> |

|   | You            | Your spouse    |
|---|----------------|----------------|
| Transportation (not including motor vehicle payments)                                       | \$ <u>None</u> | \$ <u>None</u> |
| Recreation, entertainment, newspapers, magazines, etc.                                      | \$ <u>None</u> | \$ <u>None</u> |
| Insurance (not deducted from wages or included in mortgage payments)                        |                |                |
| Homeowner's or renter's   | \$ <u>None</u> | \$ <u>None</u> |
| Life  | \$ <u>None</u> | \$ <u>None</u> |
| Health  | \$ <u>None</u> | \$ <u>None</u> |
| Motor Vehicle   | \$ <u>None</u> | \$ <u>None</u> |
| Other: _____  | \$ <u>None</u> | \$ <u>None</u> |
| Taxes (not deducted from wages or included in mortgage payments)                            |                |                |
| (specify): _____  | \$ <u>None</u> | \$ <u>None</u> |
| Installment payments  |                |                |
| Motor Vehicle   | \$ <u>None</u> | \$ <u>None</u> |
| Credit card(s)  | \$ <u>None</u> | \$ <u>None</u> |
| Department store(s)   | \$ <u>None</u> | \$ <u>None</u> |
| Other: _____  | \$ <u>None</u> | \$ <u>None</u> |
| Alimony, maintenance, and support paid to others  | \$ <u>None</u> | \$ <u>None</u> |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ <u>None</u> | \$ <u>None</u> |
| Other (specify): _____  | \$ <u>None</u> | \$ <u>None</u> |
| <b>Total monthly expenses:</b>  | \$ <u>None</u> | \$ <u>None</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?

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? \_\_\_\_\_

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?

Yes  No

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

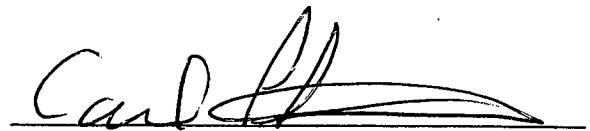
If yes, state the person's name, address, and telephone number:

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

I am a prisoner and I have almost no money. I only make \$33.75 per month at my prison job.

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

Executed on: December 10, 2021

  
(Signature)

# In the Supreme Court of the State of Alaska

**Carl K. Thompson,**

Petitioner,

v.

**State of Alaska,**

Respondent.

Supreme Court No. S-18164

## **Order**

AS 09.19.010

Application for Exemption from Filing  
Fee

Date of Order: **8/30/2021**

Trial Court Case # **4FA-18-02504CI**

The petitioner, Carl Thompson, moves for an exemption from the filing fee for his appeal. This case, a prisoner's civil petition against the State of Alaska, is governed by the provisions of AS 09.19. Under AS 09.19.010(d), even when a prisoner cannot afford to pay the normal filing fee, the filing fee must be at least 20 percent of (1) the average monthly amount of deposits to the prisoner's account during the preceding six months or (2) the average monthly balance of the prisoner's account during the preceding six months, whichever is greater,

Based on the financial information provided by the Petitioner, the greater figure is twenty percent of the average monthly deposits to the prisoner's account: \$118.34. It is the practice of this Court to round the minimum filing fee up to the nearest 25 cents. In Mr. Thompson's case, this yields a minimum filing fee of \$118.50.

Accordingly, **IT IS ORDERED:**

1. Mr. Thompson's motion for an exemption from the normal filing fee is **GRANTED in part.**

2. Mr. Thompson shall pay a reduced filing fee in the amount of **\$118.50.**

This fee must be paid within 30 days of this order - **9/29/2021**. If there is good reason,

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the court may grant an extension of this deadline. If Mr. Thompson fails to pay the filing fee within the time allowed, this petition will be rejected for filing and this case will be closed.

Entered at the direction of an individual justice.

Clerk of the Appellate Courts

  
Julie Kentch, Deputy Clerk

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