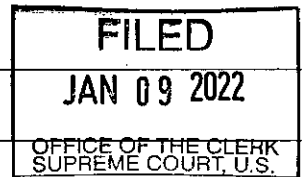


21-6917
File No.

ORIGINAL

SUPREME COURT OF THE UNITED STATES



JOSEPH EARL CLARK, II,
Petitioner,

v.

SHAWN LINDSEY BRITT, et al.,
Respondents,

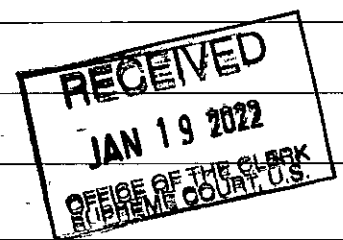
No. 21-6832

December 17, 2021

On Petition for Writ of Certiorari to the United States Court
of Appeals for the Fourth Circuit

Motion for Leave to Proceed In Forma Pauperis

Joseph Earl Clark, II
Scotland Correctional Institution
22385 McGirt's Bridge Road
Laurinburg, N.C. 28352
Prose Petitioner



I, Joseph Earl Clark, II, petitioner request leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in forma pauperis.

I have previously been granted leave to proceed in forma pauperis in the United States Court of Appeal for the Fourth Circuit, and in the United States District Court for the Middle District of North Carolina.

I have attached my declaration in support of this motion to this motion.

Relief:

That I, petitioner, be allowed to proceed in forma pauperis with my petition for writ of certiorari.

January 9, 2022

Joseph Clark, II

Petitioner: Joseph Earl Clark, II

File No.

SUPREME COURT OF THE UNITED STATES

JOSEPH EARL CLARK, II,

Petitioner,

v.

SHAWN LINDSEY BRITT, et al.,

Respondents.

No. 21-6832

December 17, 2021

On Petition for Writ of Certiorari to the United States Court
of Appeals for the Fourth Circuit

Declaration in support of Motion for Leave to Proceed in Forma Pauperis

Joseph Earl Clark, II

Scotland Correctional Institution

22385 McGirt's Bridge Road

Laurinburg, N.C. 28352

Petitioner Prose

I, Joseph Earl Clark, II, declare under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my petition for writ of certiorari. I believe I am entitled to redress. I declare under penalty of perjury under United States laws that my answers on this form are true and correct, pursuant to 28 U.S.C. section 1746.

signature: Joseph Clark, II

Date: January 9, 2022

My issue on question for writ of certiorari is whether my right to a trial was preserved, and did United States Court of Appeal for the Fourth Circuit err /and/or abuse its discretion in affirming summary judgment against me.

1. I am not married, and in the past 12 months I have not had a source of income from any source.

2. I have not been employed in twenty years. My last employer was the fast food restaurant Taco Bell in the year 2001, for minimum wages.

3. I do not have a spouse.

4. I have \$92.00 (ninety-two dollars) in my prison trust fund account. (prison receipts attached)

5. I do not own any assets or things of value.

6. No one nor any business, or organization owes me money.

7. I have no one relying on me for support.

8. I do not have any monthly expenses.

9. I do not expect any major changes to my monthly income or expenses or to assets or liabilities during the next 12 months.

10. I have not, and I will not be paying, paid an attorney any money for services in connection with this case.

11. I have not paid, nor will I be paying, anyone any money for services in connection with this case.

12. I have been incarcerated for twenty years, and have not been given any opportunity to be gainfully employed. I also am still paying the \$505 filing fee from the Fourth Circuit appeal.

13. I am confined at Scotland Correctional Institution, which is located in the city of Laurinburg, in the State of North Carolina.

I am 39 years old, and have had up to one year of college.

The last four digits of my social-security number are: 4880

Date: January 9, 2022

Petitioner: Joseph Earl Clark, Jr

Proof of service

Declaration

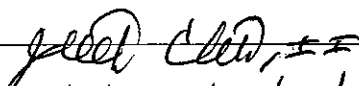
I, Joseph Earl Clark, II, declare that the foregoing motion for leave to proceed in forma pauperis, with attached declaration in support thereof, was served on respondents Dean Locklear, Pamela Locklear, Shawn Britt, Ronald Covington, Katy Poole, Jamie Hammonds, Queen Gerald, Selana Barte, Elizabeth Wallace, Zeranti McLean, and Reginald Newborn by placing a carbon copy of the same in the prison's internal mail system for placement in U.S. mail, postage is prepaid, and envelope addressed to the attorney Alex R. Williams, Assistant Attorney General of North Carolina at the following address:

Alex R. Williams, Asst. Attorney General
North Carolina Department of Justice
Post office Box 629
Raleigh, North Carolina 27602

Date: January 9, 2022

I declare under penalty of perjury that the above is true and correct, pursuant to 28 U.S.C. section 1746

Date: January 9, 2022


Petitioner: Joseph Earl Clark, II