

21-6962

IN THE SUPREME COURT OF THE UNITED STATES

ROBERT EUGENE PLASTER,

Petitioner,

Supreme Court, U.S.
FILED

JAN 19 2022

OFFICE OF THE CLERK

v.

MICHAEL BURGESS, WARDEN,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner, petitioner's name respectfully asks this Honorable Court, pursuant to Supreme Court Rule 39, for leave to proceed *in forma pauperis* so that he may file the accompanying Petition for Writ of Certiorari with this Court.

As his affidavit indicates, Petitioner is currently incarcerated in a state prison and is not receiving any income.

Respectfully submitted,



Robert Plaster #846864
Petitioner *IN PRO SE*
Oaks Correctional Facility
1500 Caberfae Hwy.
Manistee, MI 49660

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

I, Robert E. Plaster, 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 month. 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		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>
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>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions)

Employer	Address	Date of Employment	Gross monthly pay
<u>None.</u>			\$ _____
			\$ _____
			\$ _____

3. List your spouse's employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions)

Employer	Address	Date of Employment	Gross monthly pay
<u>N/A</u>			\$ _____

4. How much cash do you and your spouse have? \$ 0

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
<u>N/A</u>		\$ <u>0</u>	\$ <u>0</u>
		\$ <u>0</u>	\$ <u>0</u>
		\$ <u>0</u>	\$ <u>0</u>

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

Home Other real estate
 Value \$ 0 Value \$ 0

Motor Vehicle #1 Motor Vehicle #2
 Year, make & model _____ Year, make & model _____
 Value \$ 0 Value \$ 00

Home Other real estate
 Value \$ 0 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
	\$ 0	\$ 0
	\$ 0	\$ 0
	\$ 0	\$ 0

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

Name	Relationship	Age
None.		

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	\$ 0
Are real estate taxes included?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is property insurance included?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Utilities (electric, heating fuel, water, sewer, and telephone)	\$ 0	\$ 0
Home maintenance (repairs and upkeep)	\$ 0	\$ 0
Food	\$ 0	\$ 0
Laundry and dry-cleaning	\$ 0	\$ 0
Medical and dental expenses	\$ 5.00 co-pay	\$ 0

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

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 attorney'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.

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

Executed on: January 18, 2022

Robert Plaster, #846864

Petitioner in pro per

FEDERAL COURT - CIVIL ACTION

Prisoner-Plaintiff/Petitioner/Appellant name and number
Plaster

#846864

Defendant's/Respondent's/Appellee's name
Burgess

US Supreme Court - New Case

CERTIFICATE OF PRISONER INSTITUTIONAL/TRUST FUND ACCOUNT ACTIVITY

I am employed by the Michigan Department of Corrections at the facility identified below, at which the prisoner identified as the Plaintiff/Petitioner/Appellant is currently incarcerated.

Attached is a computer printout which accurately reflects the current spendable balance and all activity within this prisoner's account during the preceding twelve months or, if the prisoner has been incarcerated for less than twelve months, for the period of incarceration. Credits to Offender Funds represent deposits and debits to Offender Funds represent deductions to the prisoner's account.

The attached printout reflects, for the reported period, an average monthly account deposit (i.e. Total deposits divided by number of months) of \$52.96, an average monthly account balance (i.e. total deposits minus total withdrawals divided by number of months) of (\$33.18).
There is a current spendable account balance of \$259.28.

Date: 1/5/22

Heather Frechette
Signature

Heather Frechette, Accounting Technician
Oaks Correctional Facility

Daily Transaction Summary: July 05, 2021 - January 05, 2022

Page 1

Offender Information

Offender Number: 0846864	Institution: ECF	Living Unit: 07	Primary Balance: \$259.28
Offender Name: Plaster, Robert Eugene	Housing Facility: ECF	Cell: 124U	Available Balance: \$259.28
Account Status: Open	Tier: A	Bed: Top	

Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
07/05/2021						\$657.47	
07/07/2021 01:31:35 AM	Commissary Sale	Keefe Commissary	C103931201		\$1.33	\$658.80	ECF
07/08/2021 01:31:19 AM	Commissary Sale	Keefe Commissary	C103952422		(\$45.20)	\$613.60	ECF
07/13/2021 01:32:07 AM	Commissary Sale	Keefe Commissary	C103952422		\$3.50	\$617.10	ECF
07/13/2021 01:04:07 PM	Special Project/Fundraiser	ECF PBF Fundraiser			(\$6.00)	\$611.10	ECF
07/15/2021 07:31:19 AM	ECF-Institutional Services	500 - Institutional Services		\$20.52		\$631.62	ECF
07/15/2021 07:40:57 AM	ECF-Institutional Services	500 - Institutional Services			\$13.36	\$644.98	ECF
07/16/2021 10:58:00 AM	Vendor Refund	Union Supply			\$68.75	\$713.73	COF
07/16/2021 03:50:41 PM	Vendor Refund	Access Securepak			\$59.35	\$773.08	COF
07/21/2021 06:32:01 AM	Edward Hamilton	Hamilton Books			(\$92.06)	\$681.02	ECF
07/22/2021 01:31:16 AM	Commissary Sale	Keefe Commissary	C103977440		(\$20.66)	\$660.36	ECF
07/28/2021 03:41:44 PM	Vendor Refund	Blick Art Materials, LLC			\$24.53	\$684.89	COF
07/31/2021 01:30:57 AM	Commissary Sale	Keefe Commissary	C103977440		\$1.69	\$686.58	ECF
08/02/2021 03:25:08 PM	Regular Copies Disbursement	ECF Institutional Services			(\$0.80)	\$685.78	ECF
08/04/2021 06:21:57 AM	Dental Co-Pay Disbursement	Health Care Co-Pay	ECF 072621 DOS DENT		(\$5.00)	\$680.78	ECF
08/05/2021 01:31:16 AM	Commissary Sale	Keefe Commissary	C103999557		(\$20.98)	\$659.80	ECF
08/07/2021 01:31:00 AM	Commissary Sale	Keefe Commissary	C103999557		\$2.80	\$662.60	ECF
08/13/2021 07:08:27 AM	ECF-Institutional Services	500 - Institutional Services			\$16.70	\$679.30	ECF
08/13/2021 07:31:50 AM	ECF-Institutional Services	500 - Institutional Services			\$18.24	\$697.54	ECF
08/17/2021 02:23:35 PM	Vendor Refund	Edward R Hamilton			\$92.06	\$789.60	ECF
08/19/2021 01:31:17 AM	Commissary Sale	Keefe Commissary	C104023607		(\$32.18)	\$757.42	ECF
08/23/2021 01:11:16 PM	Special Project/Fundraiser	ECF PBF Fundraiser			(\$6.00)	\$751.42	ECF
09/01/2021 06:59:16 AM	Access Catalog Disbursement	Access Catalog			(\$69.15)	\$682.27	ECF
09/01/2021 07:38:55 AM	Union Supply Disbursement	Union Supply			(\$83.53)	\$598.74	ECF
09/02/2021 01:31:23 AM	Commissary Sale	Keefe Commissary	C104047089		(\$24.86)	\$573.88	ECF
09/15/2021 07:28:20 AM	ECF-Institutional Services	500 - Institutional Services			\$6.68	\$580.56	ECF
09/15/2021 07:50:31 AM	ECF-Institutional Services	500 - Institutional Services			\$21.66	\$602.22	ECF
09/16/2021 01:31:27 AM	Commissary Sale	Keefe Commissary	C104070193		(\$15.80)	\$586.42	ECF
09/28/2021 10:54:55 AM	Edward Hamilton	Hamilton Books			(\$126.03)	\$460.39	ECF
09/30/2021 01:31:04 AM	Commissary Sale	Keefe Commissary	C104093744		(\$15.95)	\$444.44	ECF
10/13/2021 08:34:06 AM	Vendor Refund	Access Securepak			\$69.15	\$513.59	COF

Daily Transaction Summary (0846864 - Robert Plaster cont.): July 05, 2021 - January 05, 2022

Page 2

Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
10/14/2021 01:31:17 AM	Commissary Sale	Keefe Commissary	C104116116		(\$19.29)	\$494.30	ECF
10/14/2021 07:50:19 AM	ECF-Institutional Services	500 - Institutional Services		\$6.68		\$500.98	ECF
10/14/2021 07:57:40 AM	ECF-Institutional Services	500 - Institutional Services		\$19.38		\$520.36	ECF
10/20/2021 08:51:13 AM	Vendor Refund	Edward R Hamilton		\$58.25		\$578.61	ECF
10/21/2021 01:31:29 AM	Commissary Sale	Keefe Commissary	C104116116		\$2.74	\$581.35	ECF
10/25/2021 03:27:06 PM	Special Project/Fundraiser	ECF PBF Fundraiser			(\$9.00)	\$572.35	ECF
10/28/2021 02:33:17 PM	Regular Copies Disbursement	ECF Institutional Services	ECF medical records		(\$1.25)	\$571.10	ECF
11/04/2021 07:25:52 AM	Access Catalog Disbursement	Access Catalog			(\$55.51)	\$515.59	ECF
11/04/2021 09:36:27 AM	Medical Co-Pay Disbursement	Health Care Co-Pay	ECF DOS 10/19/21		(\$5.00)	\$510.59	ECF
11/09/2021 09:56:36 AM	Regular Copies Disbursement	ECF Institutional Services			(\$0.80)	\$509.79	ECF
11/10/2021 01:31:54 AM	Commissary Sale	Keefe Commissary	C104159936		(\$80.40)	\$429.39	ECF
11/10/2021 07:40:11 AM	Edward Hamilton	Hamilton Books			(\$80.30)	\$349.09	ECF
11/12/2021 05:10:07 AM	GTL	Carl Plaster		\$100.00		\$449.09	COF
11/15/2021 07:30:05 AM	ECF-Institutional Services	500 - Institutional Services		\$3.34		\$452.43	ECF
11/15/2021 07:35:16 AM	ECF-Institutional Services	500 - Institutional Services		\$19.38		\$471.81	ECF
11/20/2021 01:31:51 AM	Commissary Sale	Keefe Commissary	C104159936		\$3.60	\$475.41	ECF
11/22/2021 10:36:26 AM	Special Project/Fundraiser	ECF PBF Fundraiser			(\$9.00)	\$466.41	ECF
12/01/2021 08:45:56 AM	Vendor Refund	Access Securepak		\$14.19		\$480.60	COF
12/09/2021 01:31:27 AM	Commissary Sale	Keefe Commissary	C104206857		(\$23.38)	\$457.22	ECF
12/14/2021 07:37:20 AM	ECF-Institutional Services	500 - Institutional Services		\$3.34		\$460.56	ECF
12/16/2021 01:36:28 AM	Commissary Sale	Keefe Commissary	C104206857		\$4.00	\$464.56	ECF
12/17/2021 07:40:09 PM	Kiosk Request	JPay Inc.			(\$20.00)	\$444.56	COF
12/21/2021 04:09:59 PM	Edward Hamilton	Hamilton Books			(\$67.79)	\$376.77	ECF
12/22/2021 01:32:23 AM	Commissary Sale	Keefe Commissary	C104230766		(\$50.89)	\$325.88	ECF
12/22/2021 10:58:43 AM	Legal Copies Disbursement	ECF Institutional Services			(\$45.80)	\$280.08	ECF
12/25/2021 07:40:10 PM	Kiosk Request	JPay Inc.			(\$20.00)	\$260.08	COF
01/05/2022 09:25:51 AM	Regular Copies Disbursement	ECF Institutional Services			(\$0.80)	\$259.28	ECF
01/05/2022				\$635.56	(\$1,033.75)	\$259.28	

Savings

Date	Deposit	Expense	Balance	Loc Code
07/05/2021			\$0.00	
No Activity				
01/05/2022	\$0.00	\$0.00	\$0.00	

Holds - Current as of Date and Time of Report

Daily Transaction Summary (0846864 - Robert Plaster cont.): July 05, 2021 - January 05, 2022

Page 3

Date Held	Hold Type	Notes	Amount
No Activity			

Remaining Obligations (Current as of Date End Date of Report)

Description	Paid To	Max Per Period	Ordered	Transfer	Outside Source	Held	Paid	Written Off	Total Remaining
No Remaining Obligations									Total: \$0.00