

No. 21-7217

ORIGINAL

Supreme Court, U.S.
FILED

FEB 15 2022

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Thomas Allen Twobabies — PETITIONER
(Your Name)

VS.

The state of Oklahoma — 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):

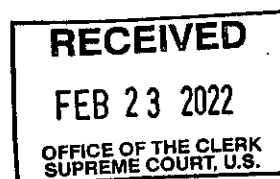
☒ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ 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)

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

I, Thomas Allen Twobabies, 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>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Self-employment	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Income from real property (such as rental income)	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Interest and dividends	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Gifts	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Alimony	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Child Support	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Disability (such as social security, insurance payments)	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Unemployment payments	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Public-assistance (such as welfare)	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Other (specify): _____	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Total monthly income:	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</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
N/A	N/A	N/A	\$ 0
N/A	N/A	N/A	\$ 0
N/A	N/A	N/A	\$ 0

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	N/A	N/A	\$ 0
N/A	N/A	N/A	\$ 0
N/A	N/A	N/A	\$ 0

4. How much cash do you and your spouse have? \$ _____
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	\$ 0	\$ 0
N/A	\$ 0	\$ 0
N/A	\$ 0	\$ 0

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 N/A

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

☐ Other assets
Description N/A
Value N/A

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

\$ 0

\$ 0

N/A

\$ 0

\$ 0

N/A

\$ 0

\$ 0

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

N/A

0

N/A

N/A

0

N/A

N/A

0

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? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

Utilities (electricity, heating fuel,
water, sewer, and telephone)

\$ 0

\$ 0

Home maintenance (repairs and upkeep)

\$ 0

\$ 0

Food

\$ 0

\$ 0

Clothing

\$ 0

\$ 0

Laundry and dry-cleaning

\$ 0

\$ 0

Medical and dental expenses

\$ 0

\$ 0

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

N/A

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? N/A

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

N/A

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? N/A

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

N/A

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

N/A I'm indigent

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

Executed on: Feb 15th, 2022



(Signature)

REQUIRED CERTIFICATION

You must attach to this motion and affidavit a certified copy of your trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of this action. You must obtain the certified copy of your trust fund account statement (or institutional equivalent) from the appropriate official of each penal institution at which you are or were confined during the six-month period.

STATEMENT OF INSTITUTIONAL ACCOUNTS

I hereby state that on 12th day of February, 2022, this prisoner had \$ 519.08 in his/her institutional account(s). I further state that the:

1. Average monthly deposits to the prisoner's accounts for the six-month period immediately preceding the filing of this action:

\$ 569.58 x 20% = \$ 113.92

2. Average monthly balance in the prisoner's accounts for six-month period immediately preceding the filing of this action:

\$ 308.52 x 20% = \$ 61.70

I FURTHER STATE THAT THE ABOVE REFERENCED AMOUNTS WERE CALCULATED PURSUANT TO THE PRISONER'S INSTITUTIONAL ACCOUNTS(S), A COPY OF WHICH IS ATTACHED HERETO.

Shanna Collins
Authorized Prison Official

Admin. Asst. I.
Title

Offender# 0424716
Offender/Group Name TWOBABIES, THOMAS
Institution DCCC
Unit UNIT C
Cell/Bed AREA A LOWER-

Transaction List

Transaction Date	Transaction Type	Source Document #	Receipt#/Check#	Sender Name	Amount	Account Balance
08/01/2021	BEGINNING BALANCE					\$9.52
08/09/2021	LEGAL COPAY	8/3/21DC			(\$9.52)	\$0.00
08/18/2021	OUTSIDE SOURCE	118337	158217	CHEYENNE & ARAPAHO	\$681.30	\$681.30
08/18/2021	LEGAL COPAY	8/3/21DC			(\$8.18)	\$673.12
08/18/2021	LEGAL COPAY	8/3/21DC			(\$2.00)	\$671.12
08/24/2021	JPAY	0000000134297137		RENNEY, KAYLA	\$90.00	\$761.12
08/26/2021	LEGAL COPAY	8/20/21DC			(\$0.75)	\$760.37
08/26/2021	LEGAL COPAY	8/24/21DC			(\$2.70)	\$757.67
08/30/2021	DISBURSEMENT	ERIC	13649348		(\$600.00)	\$157.67
08/30/2021	DISBURSEMENT FEE				(\$0.55)	\$157.12
08/30/2021	SALES	36			(\$17.79)	\$139.33
08/31/2021	GANG PAY				\$14.45	\$153.78
09/03/2021	LEGAL COPAY	9/2/21DC			(\$1.25)	\$152.53
09/07/2021	JPAY	0000000134764626		RENNEY, KAYLA	\$100.00	\$252.53
09/07/2021	SALES	18			(\$20.47)	\$232.06
09/09/2021	DISBURSEMENT	CANADIAN CO	13651609		(\$3.50)	\$228.56
09/09/2021	DISBURSEMENT	CANADIAN CO	13651609		(\$0.60)	\$227.96
09/13/2021	SALES	11			(\$47.96)	\$180.00
09/20/2021	SALES	46			(\$39.81)	\$140.19
09/23/2021	LEGAL COPAY	9/10/21DC			(\$2.00)	\$138.19
09/23/2021	LEGAL COPAY	9/16/21DC			(\$5.41)	\$132.78
09/28/2021	SALES	44			(\$86.90)	\$45.88
09/30/2021	GANG PAY				\$14.45	\$60.33
10/04/2021	JPAY	0000000135616815		POLLARD, SHANEQUA	\$20.00	\$80.33
10/04/2021	SALES	20			(\$78.48)	\$1.85
10/11/2021	JPAY	0000000135834194		POLLARD, SHANEQUA	\$80.00	\$81.85
10/11/2021	CLUB SALES	424716 FOOD			(\$34.06)	\$47.79
10/11/2021	SALES	32			(\$47.55)	\$0.24
10/18/2021	JPAY	0000000136044816		LEVERITT, TABITHA	\$35.00	\$35.24
10/21/2021	SALES	137			(\$34.93)	\$0.31
10/31/2021	GANG PAY				\$14.45	\$14.76
11/01/2021	SALES	40			(\$14.39)	\$0.37
11/16/2021	JPAY	0000000136984782		LEVERITT, TABITHA	\$40.00	\$40.37
11/18/2021	JPAY	0000000137067088		FIRTH, KEVIN	\$20.00	\$60.37
11/22/2021	SALES	69			(\$59.31)	\$1.06
11/29/2021	OUTSIDE SOURCE	139022	161531	CHEYENNE & ARAPAHO	\$534.07	\$535.13
11/30/2021	GANG PAY				\$14.45	\$549.58
11/30/2021	JPAY	0000000137411147		MAHSEET, ADRIENNE	\$20.00	\$569.58
12/02/2021	OUTSIDE SOURCE	151303	161775	CHEYENNE & ARAPAHO	\$339.49	\$909.07
12/06/2021	SALES	25			(\$105.51)	\$803.56
12/13/2021	SALES	8			(\$85.75)	\$717.81

12/14/2021	SALES	29	(\$21.06)	\$696.75
12/20/2021	SALES	13	(\$90.15)	\$606.60
12/21/2021	LEGAL COPY	COPY	(\$0.25)	\$606.35
12/27/2021	SALES	2	(\$87.21)	\$519.14
12/31/2021	GANG PAY		\$14.45	\$533.59
01/03/2022	SALES	3	(\$88.03)	\$445.56
01/04/2022	SALES	10	(\$21.64)	\$423.92

Transaction Date	Transaction Type	Source Document #	Receipt#/Check#	Sender Name	Amount	Account Balance
01/11/2022	SALES	41			(\$103.68)	\$320.24
01/12/2022	DISBURSEMENT	SECURUS	13665296		(\$20.00)	\$300.24
01/18/2022	SALES	30			(\$104.28)	\$195.96
01/18/2022	SALES	31			(\$11.60)	\$184.36
01/18/2022	OUTSIDE SOURCE	006290	164435	CHEYENNE & ARAPAHO	\$500.00	\$684.36
01/24/2022	SALES	19			(\$93.14)	\$591.22
01/31/2022	GANG PAY				\$14.45	\$605.67
01/31/2022	SALES	65			(\$86.59)	\$519.08
Summary Balances						
Available Balance		Savings Balance	Debt Encumbrance	Other Encumbrance	Instruments	Administrative Holds
\$519.08		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
						Account Balance
						\$519.08