

Mailed on 1-19-22

No. 21-7245

IN THE

SUPREME COURT OF THE UNITED STATES

JULIA ANN POFF, Petitioner

v.

UNITED STATES OF AMERICA, Respondent

Supreme Court, U.S.
FILED

JAN 21 2022

OFFICE OF THE CLERK

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner asks leave to file the attached petition for Writ of Certiorari without payment of costs and to proceed in forma pauperis.

Petitioner has previously been granted leave to proceed in forma pauperis in this Court under Case no. 20-8060.

Petitioner's amended affidavit or declaration in support of this motion is attached hereto.

Julia Ann Poff

Julia Poff, Pro Se

Reg. # 30835-479

EMC Carswell 3 South

P.O. Box 27137

Fort Worth, Tx 76127

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

I, Julia Ann Poff, 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>0</u> | \$ <u>3000 +/-</u> | \$ <u>0</u> | \$ <u>3000 +/-</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> |
| Disability (such as social security, insurance payments) | \$ <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>Prison</u> | \$ <u>400</u> | \$ <u>0</u> | \$ <u>400</u> | \$ <u>0</u> |
| <u>Acct (Commissary, Email, Postage)</u> | | | | |
| Total monthly income: | \$ <u>400</u> | \$ <u>3000</u> | \$ <u>400</u> | \$ <u>3000</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 Incarcerated Since 11-2017 | | | \$ _____ |
| | | | \$ _____ |
| | | | \$ _____ |

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 |
|--|-----------------|---------------------|-----------------------|
| Legacy Auto* | 612 W. Phillips | 4/2021 - 11/2021 | \$ 3000 |
| Cars | 612 W. Phillips | 10/2018 - 4/2021 | \$ 4000 (Before cars) |
| * West Houston Lake Automotive (unknown) | | 1/2022 | \$ 3000 |

* Same location but was recently sold to new owners.

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 |
|---|-----------------|------------------------|
| My Trustfund Acct. | \$ 150.00 | \$ 0 |
| Wellspring | \$ 0 | \$ unknown |
| | \$ _____ | \$ _____ |

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

☐ Home Value _____ ☒ Other real estate (Husband & Son live-in RV) Value 18,000

☒ Motor Vehicle #1 Year, make & model 2000 Ford Expedition Value 2500 ☒ Motor Vehicle #2 Year, make & model 2000 Chevy Suburban Value 1000 (not running)

☒ Other assets Description Miscellaneous Items - Tools, Bicycles, Kayaks, unknown Value \$5,000 maybe

* I have been gone 50 months now so I have no idea what my husband has now so these are the best guesstimates that I have and I am trying to be as honest as I can.

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 |
|---------------------------------------|---|----------------------------|
| IRS/Stimulus | \$ 1800.00 (?) ^{If I qualify, ensure?} | \$ 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 |
|------|--------------|-----|
| J.P. | Son | 10 |
| | | |
| | | |

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 | \$ 1400 |
| Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| Utilities (electricity, heating fuel, water, sewer, and telephone) | \$ 0 | \$ 60 |
| Home maintenance (repairs and upkeep) | \$ 0 | \$ 500 |
| Food | \$ 0 | \$ 400 |
| Clothing | \$ 0 | \$ 100 |
| Laundry and dry-cleaning | \$ 0 | \$ 50 |
| Medical and dental expenses | \$ 0 | \$ 50 |

| | You | Your spouse |
|---|---------------|----------------|
| Transportation (not including motor vehicle payments) | \$ <u>0</u> | \$ <u>200</u> |
| Recreation, entertainment, newspapers, magazines, etc. | \$ <u>0</u> | \$ <u>100</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>0</u> | \$ <u>0</u> |
| Taxes (not deducted from wages or included in mortgage payments) | | |
| (specify): _____ | \$ <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>Tuition - Blackstone, JCS, USCB</u> | \$ <u>100</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>Supporting wife</u> | \$ <u>0</u> | \$ <u>400</u> |
| Total monthly expenses: | \$ <u>100</u> | \$ <u>3200</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.

Not unless I am finally released then I will have additional medical expenses.

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:

I am Pro se doing everything myself.

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.

Due to the pandemic my husband's income has been cut ~~drastically~~ drastically, he does not get a salary and works on commission. We are also not on the best speaking terms so he won't tell me things, so I am unsure what his financial situation is.

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

Executed on: January 15, 2022


(Signature)

CERTIFICATE OF INMATE TRUST ACCOUNT

I, the undersigned authorized officer of the FMC-Carwell
where Poff, J. (name of inmate), Inmate ID No. 30835-479 (name of institution), is confined
as a prisoner, do hereby certify that:

(1) On this day the prisoner has in his account the sum of \$ \$102.37.

(2) During the past six months, the prisoner's:

Average monthly balance was \$ \$436.66.

Average monthly deposits to the prisoner's account were \$ \$436.66.

Attached is a certified copy of the prisoner's trust account statement (or institutional equivalent)
showing transactions for the past six months.

Signed this 28th day of December, 20 21.

B. J. Murray
Authorized Officer Trust Fund Specialist

FMC-Carwell
Institution of Confinement

Authorization

I, the undersigned inmate, authorize the institution where I am incarcerated to withdraw and forward to the court any initial partial filing fee or appeal fee and any subsequent installments ordered by a Court under the *in forma pauperis* provisions of 28 U.S.C. § 1915.

Quinn A. Taylor
Signature of Prisoner/Plaintiff/Appellant
Inmate ID No. 30835-479

Date: 12/28/2021
Time: 1:52:15 PM

Federal Bureau of Prisons
TRUFACS
Inmate Statement
Sensitive But Unclassified

Facility: CRW

General Information

Inmate Reg#: 30835479
Inmate Name: POFF, JULIA ANN
Current Site Name: Carswell FMC
Housing Unit: CRW-B-A
Living Quarter: B01-025L
Arrived From: HOU
Transferred To:
Account Creation Date: 11/10/2017

Current Balances

| Alpha Code | Available Balance | Pre-Release Balance | Debt | Encumbrance | SPO | Encumbrance | Other | Outstanding Instruments | Administrative Holds | Account Balance |
|----------------|-------------------|---------------------|---------------|---------------|---------------|---------------|----------------|-------------------------|----------------------|-----------------|
| CRW | \$43.37 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$59.00 | \$0.00 | \$0.00 | \$102.37 |
| Totals: | \$43.37 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$59.00 | \$0.00 | \$0.00 | \$102.37 |

Other Balances

| National 6 Months Deposits | National 6 Months Withdrawals | National 6 Months Avg Daily Balance | Local Max. Balance -Prev. 30 Days | Average Balance-Prev. 30 Days | Commissary Restriction Start Date | Commissary Restriction End Date |
|----------------------------|-------------------------------|-------------------------------------|-----------------------------------|-------------------------------|-----------------------------------|---------------------------------|
| \$2,620.00 | \$2,576.49 | \$98.99 | \$115.37 | \$52.03 | N/A | N/A |