

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

FMC Carswell 13 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 1/4</u>	\$ <u>0</u>	\$ <u>3000 1/4</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 Acct (Commissary, Email, Postage)</u>	\$ <u>400</u>	\$ <u>0</u>	\$ <u>400</u>	\$ <u>0</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
<u>N/A Incarcerated Since 11-2017</u>			\$
			\$
			\$

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
<u>Legacy Auto*</u>	<u>612 W. Phillips</u>	<u>4/2021 - 11/2021</u>	<u>\$ 3000</u>
<u>Citrus</u>	<u>612 W. Phillips</u>	<u>10/2018 - 4/2021</u>	<u>\$ 4000 (Before Covid)</u>
<u>West Houston Lake Automotive (Unknown)</u>		<u>1/2022</u>	<u>\$ 3000</u>

* 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
<u>My Trustfund Acct.</u>	<u>\$ < 50.00</u>	<u>\$ 0</u>
<u>Netspnd</u>	<u>\$ 0</u>	<u>\$ Unknown</u>
	<u>\$</u>	<u>\$</u>

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 (not running)
Value 1000

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 (?) <small>If I quality, how sure?</small>	\$ 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)	\$ 0	\$ 200
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 100
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: <u>Tuition - Blackstone, ICCS, USCB</u>	\$ 100	\$ 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 (specify): <u>Supporting wife</u>	\$ 0	\$ 400
Total monthly expenses:	\$ 100	\$ 3260

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-Caswell
(name of institution)
where Poff, J.
(name of inmate)
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.

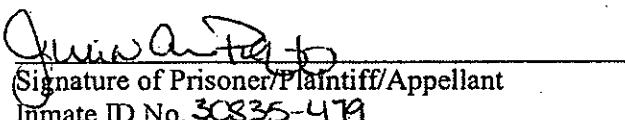
Signed this 28th day of December, 20 21.


B. Caswell
Authorized Officer

FMC-Caswell
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.


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

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 Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
CRW	\$43.37	\$0.00	\$0.00	\$59.00	\$0.00	\$0.00	\$0.00	\$102.37
Totals:	\$43.37	\$0.00	\$0.00	\$59.00	\$0.00	\$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	Restriction Start Date	Commissary Restriction Date	Commissary Restriction End Date
\$2,620.00	\$2,576.49	\$98.99	\$115.37	\$52.03	N/A	N/A	N/A