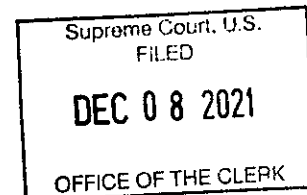


No. **21-7522**

IN THE
SUPREME COURT OF THE UNITED STATES



Jerry W. Phillips --- PETITIONER
(Your Name)

VS.

State of Tennessee/Martin Frink Warden --- RESPONDENT(S)

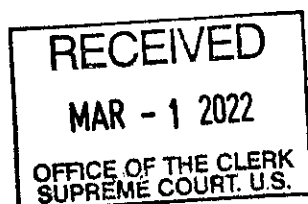
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

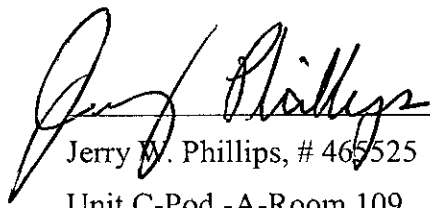
The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

[X] Petitioner has previously been granted leave to proceed *in forma pauperis* in the

following court(s) The Sixth Circuit District Court for the Eastern District of Tennessee at Knoxville

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




Jerry W. Phillips, # 465525
Unit C-Pod -A-Room 109
40 Macon Way
Hartsville, Tennessee 37074

No. _____

AFFIDAVIT OR DECLARATION

IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

I, JERRY W. PHILLIPS 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 therefore; 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>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Income from real Property (such as Rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Interest and Dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Gifts	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Child Support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Retirement (such pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Disability (such as social security, insur- ance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>

	You	Spouse	You	Spouse
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify)	\$\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Total monthly income	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</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</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</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>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>

4. How much cash do you and your spouse have? \$ N/A
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>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>N/A</u>	<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>N/A</u>	<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>

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

N/A Home N/A Other real estate

Value of home: \$ N/A Value of other real estate: \$ N/A

N/A Motor Vehicle #1 N/A Motor Vehicle #2

Year, make & model N/A Year, make & model N/A

Value: \$ 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	Amount owed to you	Amount owed to your spouse
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

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

Name	Relationship	Age
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

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)	\$ <u>0</u>	\$ <u>0</u>
Are real estate taxes included? Yes <u>N/A</u> No <u></u>		
Is property insurance included? Yes <u>N/A</u> No <u></u>		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0</u>	\$ <u>0</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>0</u>
Food	\$ <u>0</u>	\$ <u>0</u>
Clothing	\$ <u>0</u>	\$ <u>0</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>0</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>0</u>
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>0</u>

	YOU	YOUR SPOUSE
Insurance (not deducted from wages or included in mortgage payments)	\$ 0	\$ 0
Homeowner's or renter's	\$ 0	\$ 0
Life	\$ 0	\$ 0
Health	\$ 0	\$ 0
Motor Vehicle	\$ 0	\$ 0
Other: N/A	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments)		
Specify: N/A	\$ 0	\$ 0
Installment payments		
Motor Vehicle	\$ 0	\$ 0
Credit card(s)	\$ 0	\$ 0
Department Store(s)	\$ 0	\$ 0
Other: N/A	\$ 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 (specify):	\$ 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 N/A 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 X

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 X

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.

I HAVE BEEN INCARCERATED FOR TWELVE (12) YEARS AND HAVE NO INCOME.

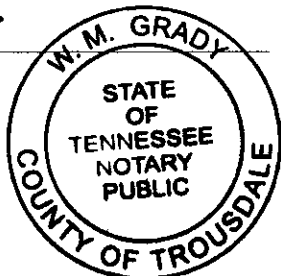
1. I declare under penalty of perjury that the foregoing is true and correct.

Executed on Friday 18th day of February 2022.

Personally appeared before me a Notary Public in the State of Tennessee, County of Trousdale Jerry W. Phillips and affirms that the foregoing Documents to be true and correct to the best of his knowledge on this the 17th day of February 2022

My commission expires on 8/27 of 2025

W. M. Grady
Notary



Jerry W. Phillips
Jerry W. Phillips 465525
Trousdale Turner Correctional Center
Unit C-Pod A Room 109
140 Macon Way
Hartsville Tn. 37074

Cc: Tennessee Attorney General, P.O. Box. 20207, Nashville, Tennessee, 37202-0207

Jerry Phillips
(Applicant's Inmate Name)

465525
(TDOC #)

CERTIFICATE

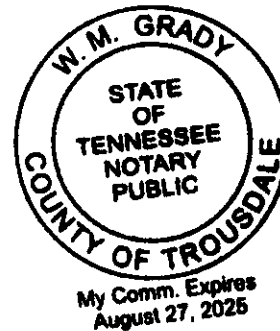
TO BE COMPLETED BY AN AUTHORIZED
CUSTODIAN OF INMATE TRUST FUND ACCOUNT

I certify that the applicant, above named, has the sum of \$ 9.91 on account to his credit at the TTCC, 140 Macon Way, Hartsville, TN 37074.

I further certify that the average balance in the applicant's trust fund account during the last six months is attached hereto 259.34.

W. M. Grady 1/19/2022
(Signature of Authorized Officer)

On this 19th day of Jan. 2022,
the above person signed this
document. W. M. Grady



Cc: Attached the copy of the inmate's 6 months trust account.

Trust FundLinks ☒ Suspend ☐

Account 00465525

Phillips, Jerry W.

Status ACTV

Reset key fields

Transactions

Obligations

Organizations

Actual Site TTCC

Assigned Site TTCC

Current Balance 9.91

Refresh

Pending Balance

Enter

Trans Date	Seq No	Trans Type	Transaction Code	Transaction Amount	Trans Site	Current Amount	Pend Amount
01/13/2022	2	D	FEE	9.69	TTCC	9.91	
01/13/2022	1	C	PAD	19.38	TTCC	19.60	
12/20/2021	1	D	COM	39.47	TTCC	0.22	
12/14/2021	1	D	COM	45.19	TTCC	39.69	
12/09/2021	2	D	FEE	11.73	TTCC	84.88	
12/09/2021	1	C	PAD	23.46	TTCC	96.61	
12/08/2021	1	D	COM	37.98	TTCC	73.15	
12/01/2021	1	D	COM	47.82	TTCC	111.13	
11/23/2021	1	D	COM	60.14	TTCC	158.95	
11/18/2021	1	D	OBI	150.00	TTCC	219.09	

Search

FastPath

Go

Top Of List

total 6mth income
\$ 1556.06

average
6mth income
\$ 259.34

Trust FundLinks ☒ Suspend ☐

Account 00465525

Phillips, Jerry W.

Status ACTV

Reset key fields

Transactions

Obligations

Organizations

Actual Site TTCC

Assigned Site TTCC

Current Balance 9.91

Refresh

Pending Balance

Enter
First

Trans Date	Seq No	Trans Type	Transaction Code	Transaction Amount	Trans Site	Current Amount	Pend Amount
11/17/2021	1	D	COM	75.13	TTCC	369.09	
11/10/2021	2	D	FEE	7.65	TTCC	444.22	
11/10/2021	1	C	PAD	15.30	TTCC	451.87	
11/09/2021	1	D	COM	80.36	TTCC	436.57	
11/02/2021	1	D	COM	134.74	TTCC	516.93	
10/27/2021	1	D	COM	6.50	TTCC	651.67	
10/25/2021	1	D	OBI	750.00	TTCC	658.17	
10/22/2021	1	C	ORG	1,400.00	TTCC	1,408.17	
10/14/2021	5	D	POS	0.53	TTCC	8.17	
10/14/2021	4	D	POS	0.53	TTCC	8.70	

Search

FastPath

Go

**Trust Fund**

Links

Suspend ☐

Account 00465525

Phillips, Jerry W.

Status ACTV

Reset key fields

Transactions

Obligations

Organizations

Actual Site TTCC

Assigned Site TTCC

Current Balance 9.91

Refresh

Pending Balance

Enter
First

Trans Date	Seq No	Trans Type	Transaction Code	Transaction Amount	Trans Site	Current Amount	Pend Amount
10/14/2021	3	D	POS	0.53	TTCC	9.23	
10/14/2021	2	D	FEE	9.69	TTCC	9.76	
10/14/2021	1	C	PAD	19.38	TTCC	19.45	
09/27/2021	1	D	COM	4.02	TTCC	0.07	
09/14/2021	3	D	POS	7.70	TTCC	4.09	
09/14/2021	2	D	FEE	11.73	TTCC	11.79	
09/14/2021	1	C	PAD	23.46	TTCC	23.52	
08/25/2021	1	D	COM	1.84	TTCC	0.06	
08/16/2021	1	D	COM	1.14	TTCC	1.90	
08/12/2021	3	D	POS	8.10	TTCC	3.04	

Search

FastPath

Go

Trust FundLinks ☐ Suspend ☐

Account 00465525

Phillips, Jerry W.

Status ACTV

Reset key fields

Transactions

Obligations

Organizations

Actual Site TTCC

Assigned Site TTCC

Current Balance 9.91

Refresh

Pending Balance

Enter
First

Trans Date	Seq No	Trans Type	Transaction Code	Transaction Amount	Trans Site	Current Amount	Pend Amount
08/12/2021	2	D	FEE	10.20	TTCC	11.14	
08/12/2021	1	C	PAD	20.40	TTCC	21.34	
07/27/2021	1	D	POS	0.55	TTCC	0.94	
07/20/2021	1	D	COM	7.01	TTCC	1.49	
07/15/2021	1	D	COM	9.02	TTCC	8.50	
07/14/2021	2	D	FEE	17.34	TTCC	17.52	
07/14/2021	1	C	PAD	34.68	TTCC	34.86	
07/06/2021	1	D	COM	0.56	TTCC	0.18	
06/29/2021	1	D	COM	2.01	TTCC	0.74	
06/14/2021	1	D	COM	10.00	TTCC	2.75	

Search

FastPath

Go