

21-7718

No. _____

ORIGINAL

Supreme Court, U.S.
FILED

APR 06 2022

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

MARK A. WINGER, #K97120 — PETITIONER
(Your Name)

VS.

PEOPLE OF THE STATE OF ILLINOIS — 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):

7th Circuit Court of Sangamon County, Illinois; Court of Appeals
(4th Dist.) of Illinois; Illinois Supreme Court

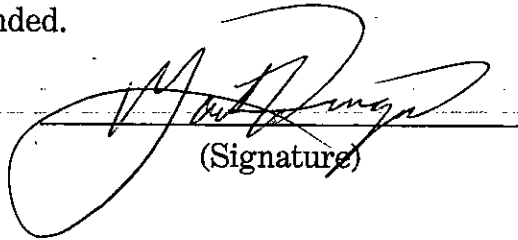
☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☐ 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: _____
Illinois Supreme Court Rule 651(C), 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, Mark A. Winger, 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>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>400</u>	\$ <u>N/A</u>	\$ <u>400</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 as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
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>STATE STIPEND</u>	\$ <u>13</u>	\$ <u>N/A</u>	\$ <u>13</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>413</u>	\$ <u>N/A</u>	\$ <u>413</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
N/A	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	\$ N/A
			\$
			\$

4. How much cash do you and your spouse have? \$ Approx. \$ 4,125
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
INMATE TRUST FUND ACCOUNT	\$ Approx. \$ 4,125	\$ N/A
	\$	\$
	\$	\$

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

NONE

\$ NONE

\$ N/A

\$ _____

\$ _____

\$ _____

\$ _____

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

N/A

N/A

N/A

N/A

N/A

N/A

N/A

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)

\$ N/A
(0)

\$ N/A

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

\$ N/A

\$ N/A

Home maintenance (repairs and upkeep)

\$ N/A

\$ N/A

Food

\$ 300

\$ N/A

Clothing

\$ N/A

\$ N/A

Laundry and dry-cleaning

\$ N/A

\$ N/A

Medical and dental expenses

\$ 0

\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>20</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>0</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>0</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>300</u>	\$ <u>N/A</u>

We (inmates) are now permitted to spend \$150.00 per shop (Doesn't include ^{some} electronic items), and we expect to shop twice each month. This is a return to normal. The COVID-19 pandemic protocols limited us to \$75.00 once per month. Therefore my monthly gifts from family and friends accumulated. That, in addition to the two stimulus checks is the reason my current Trust Fund Balance is approx. \$4,125.

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.

I received one-time stimulus checks for \$617.⁶⁷ and \$1,229.³⁶ on 2-14-2022. That will not repeat. Also - I typically receive about \$400 in gifts each month. My expenses will average around \$300/month now that we are no longer on Quarantine and the LLC resolved its commercial contract issues.

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

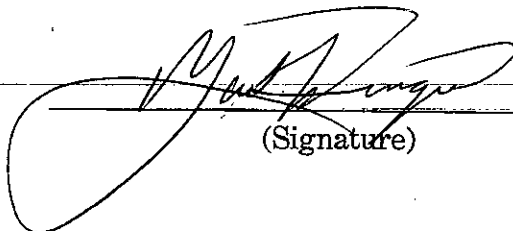
If yes, how much? _____

If yes, state the 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.

I am currently involved in several other litigation matters, civil and criminal. The civil cases (two) require a great deal of copying and postage expenses. I also anticipate fees associated with serving Summons in a Debt Complaint I filed in Brown County, IL. I recently bought a new T.V. and I am planning to hire a private detective with my stimulus money to investigate a couple items related to my criminal case. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 6th, 2022


(Signature)

Date: 4/1/2022

Time: 8:54am

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Western Illinois Correctional Center

Trust Fund

View Transactions

Inmate: K97120 Winger, Mark A.

Housing Unit: WIL-02-C -29

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
12/17/21	Disbursements	84 Library	3513122	Chk #152555	32598, DOC: 523 Fund, Inv. Date: 12/16/2021	-1.60	2,005.24
12/17/21	Disbursements	84 Library	3513122	Chk #152555	32600, DOC: 523 Fund, Inv. Date: 12/16/2021	-.60	2,004.64
12/17/21	Disbursements	81 Legal Postage	3513122	Chk #152556	32577, Reserve Accou, Inv. Date: 12/10/2021	-1.96	2,002.68
12/17/21	Disbursements	81 Legal Postage	3513122	Chk #152556	32588, Reserve Accou, Inv. Date: 12/14/2021	-.40	2,002.28
12/17/21	Disbursements	81 Legal Postage	3513122	Chk #152556	32590, Reserve Accou, Inv. Date: 12/15/2021	-.20	2,002.08
12/21/21	Disbursements	80 Postage	3553122	Chk #152772	32806, Reserve Accou, Inv. Date: 12/20/2021	-5.31	1,996.77
12/21/21	Disbursements	84 Library	3553122	Chk #152773	32895, DOC: 523 Fund, Inv. Date: 12/20/2021	-1.50	1,995.27
12/21/21	Disbursements	84 Library	3553122	Chk #152773	32895, DOC: 523 Fund, Inv. Date: 12/20/2021	-1.80	1,993.47
12/21/21	Disbursements	84 Library	3553122	Chk #152773	31451, DOC: 523 Fund, Inv. Date: 12/20/2021	-4.00	1,989.47
12/27/21	Mail Room	15 JPAY	361200	138327203	Stafford, Jerry	50.00	2,039.47
12/30/21	Disbursements	81 Legal Postage	3643122	Chk #153058	32936, Reserve Accou, Inv. Date: 12/23/2021	-16.56	2,022.91
12/30/21	Disbursements	81 Legal Postage	3643122	Chk #153058	32938, Reserve Accou, Inv. Date: 12/27/2021	-24.44	1,998.47
01/05/22	Mail Room	15 JPAY	005200	138705412	Winger, Sallie	200.00	2,198.47
01/06/22	Point of Sale	60 Commissary	0067125	1087256	Commissary	-51.77	2,146.70
01/07/22	Mail Room	15 JPAY	007200	138792556	Stafford, Dewayne	50.00	2,196.70
01/09/22	Mail Room	15 JPAY	009200	138844518	Winger, Gregory	100.00	2,296.70
01/10/22	Payroll	20 Payroll Adjustment	0101194		P/R month of 122021	10.12	2,306.82
01/21/22	Mail Room	15 JPAY	021200	139216226	Stafford, Jerry	50.00	2,356.82
01/31/22	Point of Sale	60 Commissary	0317195	1088528	Commissary	-44.03	2,312.79
01/31/22	Disbursements	84 Library	0313122	Chk #153771	33497, DOC: 523 Fund, Inv. Date: 01/21/2022	-2.10	2,310.69
01/31/22	Disbursements	84 Library	0313122	Chk #153771	33197, DOC: 523 Fund, Inv. Date: 01/21/2022	-1.20	2,309.49
01/31/22	Disbursements	84 Library	0313122	Chk #153771	33193, DOC: 523 Fund, Inv. Date: 01/21/2022	-14.80	2,294.69
01/31/22	Disbursements	84 Library	0313122	Chk #153771	33193, DOC: 523 Fund, Inv. Date: 01/21/2022	-.90	2,293.79
01/31/22	Disbursements	84 Library	0313122	Chk #153771	33193, DOC: 523 Fund, Inv. Date: 01/21/2022	-3.00	2,290.79
01/31/22	Disbursements	84 Library	0313122	Chk #153771	33190, DOC: 523 Fund, Inv. Date: 01/21/2022	-.20	2,290.59
01/31/22	Disbursements	84 Library	0313122	Chk #153771	33690, DOC: 523 Fund, Inv. Date: 01/21/2022	-1.30	2,289.29
01/31/22	Disbursements	84 Library	0313122	Chk #153771	33952, DOC: 523 Fund, Inv. Date: 01/28/2022	-3.60	2,285.69
02/04/22	Mail Room	15 JPAY	035200	139684629	Stafford, Jerry	50.00	2,335.69
02/04/22	Disbursements	88 Book Purchase	0353194	Chk #153862	34048, ERHBC, Inv. Date: 02/01/2022	-41.80	2,293.89
02/04/22	Disbursements	84 Library	0353122	Chk #153887	34070, DOC: 523 Fund, Inv. Date: 02/01/2022	-3.00	2,290.89
02/04/22	Disbursements	81 Legal Postage	0353122	Chk #153888	34076, Reserve Accou, Inv. Date: 02/04/2022	-.20	2,290.69
02/04/22	Disbursements	81 Legal Postage	0353122	Chk #153888	34083, Reserve Accou, Inv. Date: 02/04/2022	-.40	2,290.29
02/05/22	Mail Room	15 JPAY	036200	139716546	Winger, Sallie	200.00	2,490.29
02/08/22	Payroll	20 Payroll Adjustment	0391194		P/R month of 1 2022	12.76	2,503.05
02/09/22	Mail Room	15 JPAY	040200	139861290	Winger, Gregory	100.00	2,603.05

Date: 4/1/2022

Time: 8:54am

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Western Illinois Correctional Center

Trust Fund

View Transactions

Inmate: K97120 Winger, Mark A.

Housing Unit: WIL-02-C -29

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
02/10/22	Disbursements	84 Library	0413122	Chk #154087	34217, DOC: 523 Fund, Inv. Date: 02/08/2022	-2.40	2,600.65
02/14/22	Mail Room	17 REFUND	0452169	404184094153	United States Treasury	614.67	3,215.32
02/14/22	Mail Room	01 MO/Checks (Not Held)	0452169	404184094153	United States Treasury	1,229.36	4,444.68
02/22/22	Disbursements	84 Library	0533122	Chk #154311	34435, DOC: 523 Fund, Inv. Date: 02/14/2022	-1.50	4,443.18
02/22/22	Disbursements	84 Library	0533122	Chk #154311	34435, DOC: 523 Fund, Inv. Date: 02/14/2022	-1.80	4,441.38
02/22/22	Disbursements	84 Library	0533122	Chk #154311	34568, DOC: 523 Fund, Inv. Date: 02/18/2022	-12.00	4,429.38
02/22/22	Disbursements	84 Library	0533122	Chk #154311	34568, DOC: 523 Fund, Inv. Date: 02/18/2022	-1.90	4,427.48
02/22/22	Disbursements	81 Legal Postage	0533122	Chk #154315	34502, Reserve Accou, Inv. Date: 02/15/2022	-20	4,427.28
02/23/22	Point of Sale	60 Commissary	0547199	1090285	Commissary	-73.89	4,353.39
02/23/22	Disbursements	88 Miscellaneous Payables	0543194	Chk #154354	34608, Heidi Winger, Inv. Date: 02/23/2022	-45.00	4,308.39
03/04/22	Mail Room	15 JPAY	063200	140738791	Stafford, Jerry	50.00	4,358.39
03/05/22	Mail Room	15 JPAY	064200	140766102	Winger, Sallie	200.00	4,558.39
03/07/22	Disbursements	84 Library	0663122	Chk #154585	34871, DOC: 523 Fund, Inv. Date: 03/03/2022	-1.60	4,556.79
03/07/22	Disbursements	84 Library	0663122	Chk #154585	34871, DOC: 523 Fund, Inv. Date: 03/03/2022	-20	4,556.59
03/08/22	Payroll	20 Payroll Adjustment	0671194		P/R month of 2 2022	11.88	4,568.47
03/09/22	Mail Room	15 JPAY	068200	140924725	Winger, Gregory	100.00	4,668.47
03/11/22	Disbursements	88 Payment for service of (2) Summons	0703194	Chk #154689	35000, Brown County, Inv. Date: 03/09/2022	-150.00	4,518.47
03/11/22	Point of Sale	60 Commissary	0707125	1092002	Commissary	-389.15	4,129.32
03/14/22	Disbursements	84 Library	0733122	Chk #154744	34958, DOC: 523 Fund, Inv. Date: 03/08/2022	-40	4,128.92
03/14/22	Disbursements	84 Library	0733122	Chk #154744	35059, DOC: 523 Fund, Inv. Date: 03/10/2022	-40	4,128.52
03/14/22	Disbursements	81 Legal Postage	0733122	Chk #154747	34967, Reserve Accou, Inv. Date: 03/09/2022	-7.50	4,121.02
03/14/22	Disbursements	81 Legal Postage	0733122	Chk #154747	35000, Reserve Accou, Inv. Date: 03/09/2022	-1.56	4,119.46
03/18/22	Mail Room	15 JPAY	077200	141256819	Stafford, Jerry	50.00	4,169.46
03/21/22	Disbursements	84 Library	0803122	Chk #154824	35094, DOC: 523 Fund, Inv. Date: 03/16/2022	-3.60	4,165.86
03/21/22	Disbursements	84 Library	0803122	Chk #154824	35094, DOC: 523 Fund, Inv. Date: 03/16/2022	-2.80	4,163.06
03/21/22	Disbursements	84 Library	0803122	Chk #154824	35119, DOC: 523 Fund, Inv. Date: 03/18/2022	-10	4,162.96
03/21/22	Disbursements	84 Library	0803122	Chk #154824	35126, DOC: 523 Fund, Inv. Date: 03/18/2022	-80	4,162.16
03/21/22	Disbursements	80 Postage	0803122	Chk #154831	35104, Reserve Accou, Inv. Date: 03/17/2022	-1.56	4,160.60
03/25/22	Point of Sale	60 Commissary	0847195	1093614	Commissary	-172.18	3,988.42
03/25/22	Point of Sale	60 Commissary	0847195	1093615	Commissary	-12.80	3,975.62
03/28/22	Disbursements	84 Library	0873122	Chk #154997	35274, DOC: 523 Fund, Inv. Date: 03/22/2022	-60	3,975.02
03/28/22	Disbursements	84 Library	0873122	Chk #154997	35287, DOC: 523 Fund, Inv. Date: 03/24/2022	-1.20	3,973.82
03/28/22	Disbursements	84 Library	0873122	Chk #154997	35392, DOC: 523 Fund, Inv. Date: 03/25/2022	-40	3,973.42
03/30/22	Disbursements	88 Miscellaneous Payables	0893194	Chk #155013	35413, Anna Simic, Inv. Date: 03/29/2022	-25.00	3,948.42
03/31/22	Disbursements	84 Library	0903122	Chk #155110	35401, DOC: 523 Fund, Inv. Date: 03/28/2022	-12.00	3,936.42

Date: 4/1/2022

Time: 8:54am

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Western Illinois Correctional Center

Trust Fund

View Transactions

Inmate: K97120 Winger, Mark A.

Housing Unit: WIL-02-C -29

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
03/31/22	AP Correction	88 Payment for service of (2) Summons	0905169	Chk #154689 Voided	35000 - Brown County Circuit C	150.00	4,086.42
03/31/22	Disbursements	81 Legal Postage	0903122	Chk #155112	35407, Reserve Accou, Inv. Date: 03/29/2022	-2.32	4,084.10
03/31/22	Disbursements	80 Postage	0903122	Chk #155112	35408, Reserve Accou, Inv. Date: 03/29/2022	-.40	4,083.70

Total Inmate Funds: 4,083.70

Less Funds Held For Orders: .00

Less Funds Restricted: .00

Funds Available: 4,083.70

Total Furloughs: .00

Total Voluntary Restitutions: .00