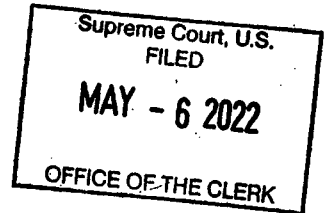


21-7850

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES



NAWAZ AHMED – PETITIONER

Vs.

TIM SHOOP, WARDEN, RESPONDENT

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**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPRIS**

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NAWAZ AHMED,  
A404511,  
Prisoner, Pro Se, Petitioner,  
Chillicothe Correctional Institute,  
P.O.Box 5500  
Chillicothe, OHIO 45601.

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

I, NAWAZ AHMED, 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. *my assets were restrained, attached Lien Put by Trial Judge orders to pay costs fees. It stands.*

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. *I am disabled inmate on OH Death row since 1999 in Prison.*

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ _____	\$ _____	\$ _____	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ <u>Deceased since 1999</u>
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ <u>Deceased</u>	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
Had received \$ 200 from Nephew in Canada as a Loan in 2019				
Total monthly income:	\$ <u>Disabled</u>	\$ _____	\$ <u>NIL</u>	\$ _____

Except \$ 16 Paid by state of Ohio to every inmate on death row for monthly expenses etc

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.) *OH Pays \$16 to every deathrow inmate monthly for expenses.*

Employer	Address	Dates of Employment	Gross monthly pay
<i>I am disabled, no job.</i>			

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
<i>deceased</i>			

4. How much cash do you and your spouse have? \$ my all assets <sup>are</sup> ~~was~~ *restrained by Trial Ct. orders.*  
 Below, state any money you or your spouse have in bank accounts or in any other financial institution. *and all funds in conservatorship were paid to clerk of Ct. by Court order.*

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
<i>Restrained</i>		
<i>Attached by Court orders</i>		

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

Home *Death Row Prisoner*  
 Value NIL

Other real estate  
 Value NIL

Motor Vehicle #1  
 Year, make & model /  
 Value NIL

Motor Vehicle #2  
 Year, make & model /  
 Value NIL

Other assets  
 Description IRA and other Assets  
 Value are Restrained by Court orders to pay for Trial and court expenses since Pre-Trial.

*I have always proceeded in all Ohio and all Federal Courts as indigent, IFR, without payments including the all Supreme Court cases.*

*I was appointed CJA counsel in Dist. Court without payment of \$ 5 filing fee to file Habeas corp-petition.*

6. State every person, business, or organization owing you or your spouse money, and the amount owed. *NIL*

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<i>/</i>	\$ <i>/</i>	\$ <i>/</i>
<i>/</i>	\$ <i>/</i>	\$ <i>/</i>
<i>/</i>	\$ <i>/</i>	\$ <i>/</i>

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
<i>/</i>	<i>/</i>	<i>/</i>
<i>/</i>	<i>/</i>	<i>/</i>
<i>/</i>	<i>/</i>	<i>/</i>

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)	\$ <i>prisoner</i>	\$ <i>Deceased since 1999</i>
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)	\$ <i>prison</i>	<i>/</i>
Home maintenance (repairs and upkeep)	\$ <i>NIL</i>	<i>/</i>
Food	\$ <i>NIL</i>	<i>/</i>
Clothing	\$ <i>NIL</i>	<i>/</i>
Laundry and dry-cleaning	\$ <i>NIL</i>	<i>/</i>
Medical and dental expenses	\$ <i>over \$100,000</i>	<i>/</i>

*Outstanding medical bill attached. as this has stopped providing any specialist services to me for exceeding the total limit for 3 open heart cardiac operations since 2003-2021.*

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ /	\$ /
Recreation, entertainment, newspapers, magazines, etc.	\$ /	\$ /
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ /	\$ /
Life	\$ /	\$ /
Health <i>Medical Bills outstanding over</i>	\$ /	\$ /
Motor Vehicle <i>\$100,500.00 - few attached</i>	\$ /	\$ /
Other: _____	\$ /	\$ /
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <i>NI</i>	\$ <i>NI</i>	\$ /
Installment payments		
Motor Vehicle	\$ /	\$ /
Credit card(s)	\$ /	\$ /
Department store(s)	\$ /	\$ /
Other: _____	\$ /	\$ /
Alimony, maintenance, and support paid to others	\$ /	\$ /
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ /	\$ /
Other (specify): <i>Prisoner - with med. Bills</i>	\$ /	\$ /
<b>Total monthly expenses:</b>	\$ <b>15.00</b>	\$ /

*Paid by state of OHIO to every deathrow inmate for mail, postages etc. etc.*

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.

*outstanding Medical Bills over \$150,000.00  
and All assets restrained, attached by Trial Court order*

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? NIL

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

*NIL*

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:

*NIL*

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

*Sup. Ct. R-39.1 and CJA state 28 USC 3406A(d)(7) Exempt me from  
filing this Affidavit/Declaration as I was found to indigent in U.S. Dist. Ct.  
Case 2:07-cv-658 (ECF #1,3) and appointed CJA habeas counsels in  
Dist. Ct. and in 6th Cir. Court of Appeal. see IFP Motion and*

I declare under penalty of perjury that the foregoing is true and correct. Appendix, "A", B, C, D, E"

Executed on: APRIL 29, , 2022

  
(Signature)

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

100 EAST FIFTH STREET, ROOM 540  
POTTER STEWART U.S. COURTHOUSE  
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000  
[www.ca6.uscourts.gov](http://www.ca6.uscourts.gov)

Deborah S. Hunt  
Clerk

Filed: December 17, 2020

Mr. Nawaz Ahmed  
Chillicothe Correctional Institution  
P.O. Box 5500  
Chillicothe, OH 45601

Mr. Charles L. Wille  
Office of the Attorney General  
of Ohio  
150 E. Gay Street  
16th Floor  
Columbus, OH 43215

Mr. Keith Arthur Yeazel  
Law Office  
905 S. High Street  
Columbus, OH 43206

Re: Case No. 20-4302, *Nawaz Ahmed v. Tim Shoop*  
Originating Case No. 2:07-cv-00658


Dear Mr. Ahmed and Counsel:

(ECF 170; 172, 173)

This case has been docketed as case number **20-4302**. It will be held in abeyance until after the district court rules on pending motions, identified under Fed. R. App. P. 4(a)(4), and jurisdiction transfers to the Sixth Circuit Court of Appeals. Once this court has jurisdiction, the appeal will proceed in the normal course and you will receive additional instructions from the Clerk's office. *He refused to file Appearance, but is mentioned.*

In the meantime, you are strongly encouraged to read the Federal Rules of Appellate Procedure and Sixth Circuit Rules at [www.ca6.uscourts.gov](http://www.ca6.uscourts.gov). If you are counsel for a party and have not established a PACER account and registered with this court as an ECF filer, you should do so immediately. Your password for district court filings will not work in the appellate ECF system. If you are representing yourself in this appeal, you will continue to file in paper and your pleadings will be scanned into the court's electronic docket.

Sincerely yours,

  
s/Patricia J. Elder  
Senior Case Manager

cc: Mr. Richard W. Nagel

Enclosure

Appendix "C"



1 of 2

Patient Financial Services  
PO Box 183102  
Columbus, OH 43218-3102

ADDRESS SERVICE REQUESTED

PRESORTED  
FIRST-CLASS MAIL  
U.S. POSTAGE PAID  
DPCH

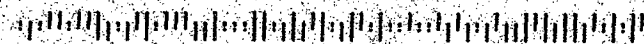
*DRI*

**FIRST CLASS**

003175



NAWAZ AHMED  
CCI#A404511  
CHILLICOTHE OH 45601





Case no;-----

IN THE  
SUPREME COURT OF THE UNITED STATES

---

NAWAZ AHMED – PETITIONER

Vs.

TIM SHOOP, WARDEN, RESPONDENT

---

**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPRIS**

(Supreme Court Rule 39.1,4 and 18 USCS 3006A(d)(7))

1. Petitioner pro se Nawaz Ahmed a prisoner on Ohio deathrow since 2000 and under ADA defined legal, medical, mental and physical disability, effected in the past by COVID and thrice quarantined, admitted to two hospitals for cardiac emergency, diabetics, of limited eye sight due to un-operated cataract, **submit that Jurisdiction is founded** per 28 USCS § 1254(1) in this capital habeas corpus case, to file Petition for writ of Certiorari supported by this Motion to proceed in Forma paupris.

1.1. Petitioner state under penalty of perjury that he was found to be an indigent and permitted to file 28 U.S.C. A. § 2254 Habeas Corpus Petition without payment of statutory \$5 filing fee by the United States District Court for the Southern District of OH in case 20-07-cv-658. See (Ecf.#1 and Ecf. #3).

1.2. Petitioner state under penalty of perjury that he was appointed two habeas counsels by the district court (Ecf.#3) based upon the indigency affidavit filed (Ecf.#1) in case 2:07-cv-658.

2. Petitioner pro se request the honorable court to permit him to proceed in forma pauperis per Sup. Ct. R. 39.1 and (18 USCS 3006A(d)(7)) as he was granted IFP status in the District Court originating 28 U.S.C. A. § 2254, capital habeas case 2:07-cv-658 (Ecf.#1 and #3) and appointed two habeas counsels per [28 U.S.C. A. § 2254(h) and section 3006A of title 18.] & 18 U.S.C.S. § 3599(a)(2),(e)]. Petitioner in the Court of Appeals for the Sixth Cir. in capital habeas corpus related Appeal Cases 20-4153, 20-4187, 21-3095 and case **20-4302** under current 6 Cir. R. 45(a)(5), "Order by Clerk-- appointment of Counsel) implementing 6<sup>th</sup> Cir. CJA Plan. 18 U.S.C. § 3006A(a)(2)(B)- CJA-(18 USCS 3006A(d)(7)), which reads:

(18 USCS 3006A(d)(7)): (7) **Proceedings before appellate courts.** If a person for whom **counsel is appointed** under this section appeals to an appellate court or **petitions for a writ of certiorari**, he may do so without prepayment of fees and costs or security therefor and **without filing the affidavit** required by section 1915(a) of title 28.

*See Appendix "A, B, C, D, E" attached.*

3. Petitioner was appointed Attorney Keith A. Yeazel in US Dist.Court capital habeas case **2:07-cv-658 (Ecf.#1 & 3)**, granted IFP statutes and allowed filing of 28 U.S.C. § 2254 Petition without payment of \$5.00 filing fee, under the statutory provisions of 28 U.S.C. § 2254(h) and 18 U.S.C. §§ 3006A(d)(7) and 18 U.S.C. § 3599(a)(2)(e). See, case docket 2:07-cv-658.

Also in the Court of Appeals for the Sixth Cir. under the Sixth Circuit Plan for the implementation of CJA by the current 6 Cir. R. 45(a)(5), "Order by Clerk-- appointment of Counsel) and authorized under 6 Cir. R. 45(a)(5), in Appeal case **20-4302**, 20-4187 and 21-3095 and 20-4153, Attorney Keith A. Yeazel was appointed. But has has refused to file his formal appearance in any of these cases.

4. See, relevant portions of the all published court orders below, show **appointment of counsels** under CJA Plan because of indigency. See, Clerk appointing Attorney Keith A. Yeazel; The fact shown in the 6<sup>th</sup> Cir. Published Order dated (December 7,2021). *Appendix, " B "*

Rehearing denied by, En banc Ahmed v. Shoop, 2021 U.S. App. LEXIS 36083 (6th Cir., Dec. 7, 2021) (**Case No. 20-4302**; For NAWAZ AHMED, Petitioner - Appellant: Keith Arthur Yeazel, Law Office, Columbus, OH. Who refused to file his appearance and did not file any pleading; thus abandoned client. See case docket of case 20-3402; 20-4187; 21-3095 and 20-4153)); See also Ahmed v. Houk, 2022 U.S. Dist. LEXIS 7824, 2022 WL 60662 (S.D. Ohio, Jan. 6, 2022) (**Case No. 2:07cv658**; Counsel: For Nawaz Ahmed, Petitioner: Keith A. Yeazel, LEAD ATTORNEY, and S Adele Shank Columbus, OH.).

See also Ahmed v. Houk, 2008 U.S. Dist. LEXIS 109687(S.D. Ohio, April 16,2008)( **Case No. 2:07cv658, Counsel:** For Nawaz Ahmed, Petitioner: David Jan Graeff, LEAD ATTORNEY, Westerville, OH; Keith A. Yeazel, LEAD ATTORNEY, Columbus, OH.... Petitioner, a prisoner sentenced to death by the State of Ohio, has pending before this Court a notice of intention to file a habeas corpus action under 28 U.S.C. § 2254... Petitioner has filed with this Court an **affidavit of indigency**. (Doc. # 1). On September 13, 2007, the Court appointed Attorneys Keith Yeazel and David Graeff to represent petitioner in this matter. (Doc. # 3)");

5. Rule 39.1. Proceedings In Forma Pauperis provides:

1. A party seeking to proceed *in forma pauperis* shall file a motion for leave to do so, together with the party's notarized affidavit or declaration (in compliance with 28 U.S.C. § 1746) in the form prescribed by the Federal Rules of Appellate Procedure, Form 4. The motion shall state whether *leave to proceed in forma pauperis was sought in any other court* and, if so, whether **leave was granted**. If the court below **appointed counsel** for an indigent party, **no affidavit or declaration is required**, but the motion shall cite the provision of law under which counsel was appointed, or a copy of the order of appointment shall be appended to the motion. (*Deputy clerk Susan ignores this*).
4. When the documents required by paragraphs 1 and 2 of this Rule are presented to the Clerk, accompanied by proof of service as required by Rule 29, **they will be placed on the docket without the payment of a docket fee or any other fee.**

6. The court has jurisdiction under 28 USCS § 1254(1) for review of the final orders of the Court of Appeals for the Sixth Circuit in appeal case 20-4187 and cases 21-3095 and 20-4302 in separate or joint-single Petition for certiorari per Rule 12.4 having common question in cases 20-4187, 21-3095 and 20-4302. The Court of Appeals, "*erroneously denied appellate jurisdiction* to review 'pending motions not ruled upon [thus **implicitly denied**] by the district

court in case 2:07-cv-658 before **prematurely dismissing** the capital habeas 28 USCS § 2254 case, *without adjudicating all available claims* (see, **Ecf.196**, filed on 06/03/21 per FRAP (d)(2) and FRAP 4( c)(1)) docketed in **currently pending** First jurisdictionally sound **appeal case 20-4153..**

7. Petitioner is in jail since 1999 arrest and has been granted IFP in all Ohio and Federal courts since then based upon the following valid, compelling good reasons:

- (a) Petitioner is a prisoner on Ohio Deathrow and
- (b) Petitioner is currently under ADA recognized medical and physical disability and
- (c) Recently the CCI-DR-1 block has been under collective quarantine, cancelling all activities and programs due to few inmates tested positive under changed DRC quarantine policy, likely may happen again,
- (d) Petitioner's eye-sight has considerably reduced due to un-operated cataract due to limits imposed by medical costs control measures and due to diabetic complications, possible diabetic retinopathy, above 8.6 A1C complicated by cuts in nurses staff to timely administer insulin,
- (e) Petitioner is without appointed counsel to prepare and file a timely petition for certiorari in this case because Circuit Clerk failed to appoint appeal counsel in appeal case 20-4302,

#### CONCLUSION

Petitioner submit this IFP Motion for filing the Petitioner for writ of certiorari. Petitioner request the court that his pro se Motion for Leave to proceed in Forma Paupris under 18 USCS 3006A(d)(7) and (Supreme Court Rule 39.1,4 **be granted.**

Respectfully Submitted

~~RULE 13.3 Application~~



(NAWAZ AHMED)

A404-511, CCI, P.O. Box 5500

Chillicothe, OH 45601

Dated: April 29, 2022.

**Additional material  
from this filing is  
available in the  
Clerk's Office.**