

No. 21-7995 ORIGINAL

FILED  
MAY 16 2022

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

JOSEPH KURZ,

PETITIONER

VS.

TIM HOOPER, Warden,

RESPONDENT

**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*.

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



Joseph M. Kurz  
Joseph Kurz

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

I, **Joseph Kurz**, am the petitioner in the above-entitled case. In support of my motion to proceed without being required to prepay fees, costs or give security therefore, 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.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
Employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Gifts	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child support	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social, security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Disability (such as social security, insurance)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Unemployment payment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<b>Total monthly income:</b>	<b>\$ <u>N/A</u></b>	<b>\$ <u>N/A</u></b>	<b>\$ <u>N/A</u></b>	<b>\$ <u>N/A</u></b>

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is pay 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>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>

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is pay 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>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>

4. How much cash do you and your spouse have? \$ \$0.00

Below, state any money you or your spouse has in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
<u>D.P.S.C.</u>	<u>Reserve</u>	<u>\$0.00</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.

Home  
(Value): N/A

(Value): N/A

Motor Vehicle #1  
Year, make & model: N/A  
(Value): N/A

Other real estate  
(Value): N/A

Other assets  
Description \_\_\_\_\_

Motor Vehicle #2  
Year, make & model: N/A  
(Value): N/A

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

<b>Person owing you or your spouse money</b>	<b>Amount owed to you</b>	<b>Amount owed to your spouse</b>
<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.

<b>Name</b>	<b>Relationship</b>	<b>Age</b>
<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, semiannually, or annually to show the monthly rate.

	<b>You</b>	<b>Your Spouse</b>
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>N/A</u>	\$ <u>N/A</u>
Are real-estate taxes included? Yes No		
Is property insurance included? Yes No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>N/A</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>N/A</u>	\$ <u>N/A</u>
Food	\$ <u>N/A</u>	\$ <u>N/A</u>
Clothing	\$ <u>N/A</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>N/A</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>N/A</u>	\$ <u>N/A</u>

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

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.

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

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

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 cost of this case.

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I, **Joseph Kurz**, declare under the penalty of perjury that the foregoing is true and correct.

Executed on: May 13, 2022.



Joseph M. Kurz  
Joseph Kurz