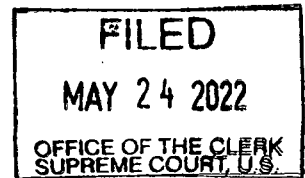


22-5039

ORIGINAL

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES



Randy Scott Diehl — PETITIONER
(Your Name)

VS.

DAVID SHINN — RESPONDENT(S)

(CORRECTED) 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):

U.S. DISTRICT COURT IN PHOENIX, ARIZONA

☐ 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: _____, or

☐ a copy of the order of appointment is appended.

RDiehl

(Signature)

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

I, Randy Scott Diehl, 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>40.00</u> 400.00	\$ <u>—</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>—</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>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>40.00</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

I Do NOT own ANY OF THESE ITEMS.

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

N/A

\$ Ø

\$ Ø

\$ _____

\$ _____

\$ _____

\$ _____

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

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)

\$ Ø

\$ Ø

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

\$ 2.00

\$ Ø

Home maintenance (repairs and upkeep)

\$ Ø

\$ Ø

Food

\$ 38.00

\$ Ø

Clothing

\$ Ø

\$ Ø

Laundry and dry-cleaning

\$ Ø

\$ Ø

Medical and dental expenses

\$ Ø

\$ Ø

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>Ø</u>	\$ <u>Ø</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>Ø</u>	\$ <u>Ø</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>Ø</u>	\$ <u>Ø</u>
Life	\$ <u>Ø</u>	\$ <u>Ø</u>
Health	\$ <u>Ø</u>	\$ <u>Ø</u>
Motor Vehicle	\$ <u>Ø</u>	\$ <u>Ø</u>
Other: <u>N/A</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Installment payments		
Motor Vehicle	\$ <u>Ø</u>	\$ <u>Ø</u>
Credit card(s)	\$ <u>Ø</u>	\$ <u>Ø</u>
Department store(s)	\$ <u>Ø</u>	\$ <u>Ø</u>
Other: <u>N/A</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Alimony, maintenance, and support paid to others	\$ <u>Ø</u>	\$ <u>Ø</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>Ø</u>	\$ <u>Ø</u>
Other (specify): <u>N/A</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Total monthly expenses:	\$ <u>Ø 40.00</u>	\$ <u>Ø</u>

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 ☒ 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 A PRISONER. I STRUGGLE TO SURVIVE OFF THE \$40.00 PER MONTH I MAKE WHEN I HAVE A JOB ASSIGNMENT. I DO NOT CURRENTLY HAVE ANY JOB ASSIGNMENT BUT AM ON A WAITING LIST TO BE HIRED SOMETIME IN THE FUTURE.

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

Executed on: JUNE 4, 20 20
2022



(Signature)

Inmate Account Summary

Transactions from 04/01/2022 to 05/13/2022

Inmate		Funds		
Name:	DIEHL, RANDY S	Account	Beginning Balance	Ending Balance
ADC #:	245140			
ADC #:	245140	Spendable:	\$2.26	\$0.02
DOB:	11/22/1965	INMATE DEBT:	\$0.00	\$0.00
Status:	Active	DDA: (TRUST ACCOUNT)	\$250.00	\$250.00
Admitted:	5/16/2016	Wages: (NON-SPENDABLE)	\$0.00	\$0.00
Released:	N/A	Retention:	\$0.00	\$0.00
		DDA L:	\$0.00	\$0.00

Classifications

Religious Affiliation : Christian

Religious Diet : none

Phase : Phase 3

Security Level : 3

Loss of Privilege : N

Transactions

Date/Time	Accounting Event	Description	Account	Amount	Trust	Debt
4/21/2022 9:32:54 AM	20 STORE PURCHASE	Commissary Purchase, Order Number : 3375958	Spendable	(\$39.15)	\$250.02	\$0.00
4/16/2022 12:44:48 AM	36 PMT UTILITY FEE	Pay: 4/16/2022 12:44:48 AM - 36 UTILITY FEE - Charge for Utilities	Spendable	(\$2.00)	\$289.17	\$0.00
4/16/2022 12:44:48 AM	36 PMT UTILITY FEE	Pay: 4/16/2022 12:44:48 AM - 36 UTILITY FEE - Charge for Utilities	INMATE DEBT	(\$2.00)	\$291.17	\$0.00
4/16/2022 12:44:48 AM	36 UTILITY FEE	Charge for Utilities	INMATE DEBT	\$2.00	\$291.17	\$2.00
4/15/2022 11:42:14 AM	46 COPY NON LGL	A19 262 Copies NL 4/01/22	Spendable	(\$0.40)	\$291.17	\$0.00
4/14/2022 10:29:25 AM	20 STORE PURCHASE	Commissary Purchase, Order Number : 3352050	Spendable	(\$90.71)	\$291.57	\$0.00
4/11/2022 11:02:22 AM	58 ITA FEE	Deduct: from 'Spendable' into 'Common Checks - Deductions and Fees'	Spendable	(\$1.00)	\$382.28	\$0.00

Inmate Account Summary

Transactions from 04/01/2022 to 05/13/2022

4/11/2022 11:02:22 AM	11 EFT JPAY	Receipt: 142182164, Depositor: Sharon Zard	Spendable	\$100.00	\$383.28	\$0.00
4/7/2022 10:13:59 AM	20 STORE PURCHASE	Commissary Purchase, Order Number : 3328967	Spendable	(\$41.05)	\$283.28	\$0.00
4/6/2022 9:28:25 PM	58 ITA FEE	Deduct: from 'Spendable' into 'Common Checks - Deductions and Fees'	Spendable	(\$0.50)	\$324.33	\$0.00
4/6/2022 9:28:25 PM	11 EFT JPAY	Receipt: 142031432, Depositor: MARIA CHAVEZ	Spendable	\$50.00	\$324.83	\$0.00
4/1/2022 12:54:42 AM	58 ITA FEE PYRL	Deduct: from 'Spendable' into 'Common Checks - Deductions and Fees'	Spendable	(\$0.23)	\$274.83	\$0.00
4/1/2022 12:54:42 AM	94 XFR WAGES TO SPND L2	Deduct: from 'Wages' into 'Spendable'	Spendable	\$22.80	\$275.06	\$0.00
4/1/2022 12:54:42 AM	94 XFR WAGES TO SPND L2	Deduct: from 'Wages' into 'Spendable'	Wages	(\$22.80)	\$252.26	\$0.00
4/1/2022 12:54:42 AM	54 TRANSITION FEE LT2	Deduct: from 'Wages' into 'Common Checks - Deductions and Fees'	Wages	(\$1.20)	\$275.06	\$0.00
4/1/2022 12:54:41 AM	15 PYRL WI L2 TR	WIPP Payroll LT \$2 Transition	Wages	\$24.00	\$276.26	\$0.00