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JUN 24 2022

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22-5046  
No.

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.  
FILED

JUN 24 2022

OFFICE OF THE CLERK

JAMES R. BUTLER — PETITIONER  
(Your Name)

VS.

STATE OF FLORIDA — 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*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Fifteenth Judicial Circuit, Palm Beach County, Fla.

(See) Record - 000 784, 000 670

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.

James R. Butler, # B15441  
(Signature)

RECEIVED

JUL - 6 2022

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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

I, James R. Butler, 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>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Self-employment	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Income from real property (such as rental income)	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Interest and dividends	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Gifts	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Alimony	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Child Support	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Disability (such as social security, insurance payments)	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Unemployment payments	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Public-assistance (such as welfare)	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
Other (specify): <u>None</u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>
<b>Total monthly income:</b>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </u>	\$ <u>  </u> <u>  </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>NONE</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>
<u>NONE</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>NONE</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0</u>

4. How much cash do you and your spouse have? \$ 0  
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>NONE</u>	<u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
<u>NONE</u>	<u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
<u>NONE</u>	<u>N/A</u>	\$ <u>0</u>	\$ <u>0</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 0

Other real estate  
Value 0

Motor Vehicle #1  
Year, make & model N/A  
Value 0

Motor Vehicle #2  
Year, make & model N/A  
Value 0

Other assets  
Description NONE  
Value 0

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
<u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
<u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
<u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>

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

Name	Relationship	Age
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>
<u>NONE</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? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
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>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>0</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>0</u>
Life	\$ <u>0</u>	\$ <u>0</u>
Health	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Other: <u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s)	\$ <u>0</u>	\$ <u>0</u>
Department store(s)	\$ <u>0</u>	\$ <u>0</u>
Other: <u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>0</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
<b>Total monthly expenses:</b>	\$ <u>0</u>	\$ <u>0</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? NONE

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? NONE

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 Divorced.

My parents are deceased.

my siblings are deceased.

I have been incarcerated for 12+ years.

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

Executed on: 6-24-2022, 2022

James R. Butler, #B1544  
(Signature)

FIFTEENTH JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

CRIMINAL DIVISION

CIRCUIT COURT  
 COUNTY COURT

STATE OF FLORIDA

FILED  
Circuit Criminal Department

vs.

FEB 17 2017

James R. BUTLER  
Defendant.

SHARON R. BOCK  
Clerk & Comptroller  
Palm Beach County

ORDER APPOINTING APPELLATE COUNSEL

THIS CAUSE came before the Court on FEBRUARY 17, 2017  
on \_\_\_\_\_ Motion \_\_\_\_\_.

Based on the proceedings before the Court, it is

ORDERED AND ADJUDGED that the Motion is GRANTED/DENIED.

JAMES R. BUTLER, HAVING PREVIOUSLY BEEN FOUND  
INNOCENT AND REPRESENTED BY A COURT APPOINTED ATTORNEY  
AND BECAUSE HE REMAINS INNOCENT IT IS HEREBY  
ORDERED AND ADJUDGED THAT JACOB M. NOBLE, Esq.  
IS APPOINTED TO REPRESENT JAMES R. BUTLER AT PUBLIC EXPENSE

DONE AND ORDERED in Open Court/Chambers, in West Palm Beach, Palm Beach  
County, Florida, on this 17 day of FEBRUARY, 2017.

1 / 1  
FILED  
CIRCUIT/COUNTY COURT JUDGE Circuit Criminal Department

copies furnished to:

DOC/PROB  
 PBSO  
 DEFENSE  
 ASA  
 DEFT  
*WSAC*

FEB 17 2017

SHARON R.  
Clerk & Comptroller  
Palm Beach County

*IN THE ABOVE REFERENCED CASE, THE DEFENDANT MAY  
CONTACT THE ABOVE ATTORNEY AT 561-847-7095*

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000461

July, 2011