

No. 22-5160

ORIGINAL

Supreme Court, U.S.
FILED
JUN 22 2022
OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Robert V. Wunsch — PETITIONER
(Your Name)

VS.

The State of Oklahoma — 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):

The Tenth (10th) Circuit (when appealing case #
CW21-826-PRW to the Court of Appeals - Case # 22-6040)

☐ 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: n/a
_____, or

☐ a copy of the order of appointment is appended.

Rob Wunsch pro-se
(Signature)

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

I, Robert V. Wunsch, 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>11.56 per month</u>	\$ <u>N/A</u>	\$ _____	\$ <u>N/A</u>
Self-employment	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ <u>Ø</u>	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ <u>Ø</u>	\$ _____	\$ _____	\$ _____
Gifts	\$ <u>100⁰⁰ per M.</u>	\$ _____	\$ _____	\$ _____
Alimony	\$ <u>Ø</u>	\$ _____	\$ _____	\$ _____
Child Support	<u>RW</u> \$ <u>186⁰⁰</u>	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>Ø</u>	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	<u>V.A. Dis.</u> \$ <u>136⁰⁰</u>	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ <u>Ø</u>	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ <u>Ø</u>	\$ _____	\$ _____	\$ _____
*Other (specify): <u>U.S. Treasury</u>	\$ <u>155.20</u>	\$ <u>✓</u>	\$ _____	\$ <u>✓</u>
Total monthly income:	\$ <u>402.56</u>	\$ <u>N/A</u>	\$ _____	\$ <u>N/A</u>

↳ Stimulus Payment "one time" payment of \$ 1862.50

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
Incarcerated since 2016.			\$ 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
Divorced in 2016 - No Contact			\$ 0
			\$
			\$

4. How much cash do you and your spouse have? \$ None
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
None to my knowledge	\$ 0	\$ 0
	\$	\$
	\$	\$

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 0

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

☐ 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

None

Amount owed to you

\$ 0
\$
\$

Amount owed to your spouse

\$ 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
<u>C. G.</u>	<u>Son</u>	<u>7</u>
<u>M. G.</u>	<u>Daughter</u>	<u>5</u>
<u>H. F.</u>	<u>Daughter</u>	<u>17</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)

\$ 0

\$ N/A

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

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

\$ 0

\$

Home maintenance (repairs and upkeep)

\$ 0

\$

Food

\$ 100⁰⁰

\$

* Clothing

\$ 300⁰⁰

\$ one time Payment July 2022

Laundry and dry-cleaning

\$ 5⁰⁰

\$

Medical and dental expenses

\$ 8⁰⁰

\$ N/A

just bought New Shoes, boots & clothing (July 2022). For the First time in 4 years.

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>n/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ _____
Life	\$ <u>0</u>	\$ _____
Health	\$ <u>0</u>	\$ _____
Motor Vehicle	\$ <u>0</u>	\$ _____
Other: _____	\$ <u>0</u>	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>I owe IRS, unknown amount</u>	\$ <u>75,000⁺</u>	\$ _____
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ _____
Credit card(s)	\$ <u>0</u>	\$ _____
Department store(s)	\$ <u>0</u>	\$ _____
Other: _____	\$ <u>0</u>	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>136^{ee}</u>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>✓</u>
Other (specify): _____	\$ <u>0</u>	\$ _____
*Total monthly expenses:	\$ <u>536^{ee}</u>	\$ <u>n/A</u>

See attached Affidavit

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.

This is an unk. as I depend on my elderly Mother to help, when she can.

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? 0

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

Can't afford one, et al.

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? 0 *Never have*

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

N/A

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

*See attached Affidavit. Thank You.
Does Rule 40.3 apply to me? U.S.M.C.
Veteran w/ Honorable Service.?*

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

Executed on: July 16, , 2022.


(Signature)

Sworn Affidavit of Financial Status

The Honorable Court,

I have provided the "In Forma Pauperis" as requested. I felt the form was a little ambiguous as the debts and expenses were more consistent for a person who is NOT incarcerated.

I felt the need to explain my financial status a little more clear with exhibits.

- Each month, the Ok.-D.O.C. puts \$11.56 on my account to buy Hygiene. No way does this cover the cost.
- Each month, my mother puts \$100⁰⁰ on my books/account. There are several months where she simply can not afford to help me.
- On 6/6/22 the I.R.S. provided me with \$1,862.50 from the stimulus.

P. J. J

For the First time in Four years I was able to buy New Clothing:

- 1) 2 pair of shorts \$13⁰⁰ each
- 2) 1 pair of Shoes, \$85⁰⁰
- 3) 1 pair of Boots \$150⁰⁰
- 4) 1 pillow \$9⁰⁰
- 5) 2 wash cloths \$2⁰⁰ each

I also had to buy "Stationery" to continue fighting for my Freedom and to prove my Actual-Factual Innocence. \$250⁰⁰

Just in the past in the Past Four (4) months the Oklahoma Department of Corrections has charged me \$531.27. Multiply that by the full 12 months.

That is a total of \$1,054.27 as I keep a copy of all my receipts.

The OK-D.C.C. ensures that the law library and stationery are exorbitantly price to "dissuade" inmates from accessing the Honorable Courts.

P. 2 of

I am also working with the U.R.S. to

P. 3 of

Kind of how much I owe the United States. That number is somewhere around \$75,000⁰⁰ in back Taxes, at I have been unable to pay due to my incarceration.

Thank You So much for the consideration of my In Forma Pauperis & Certiorari.

^{RW}
~~Next Page~~ ^{RW}

Should this Honorable Court require the \$300⁰⁰ Side Fee be paid. Please send an ORDER to cure ~~deficiency~~^{RW} deficiency. - End -

- Does Rule 40 apply to me?
I am a U.S. ~~M.C.~~ Veteran

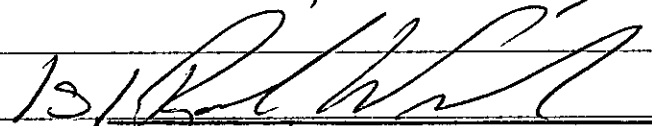
Declaration Under Penalty of Perjury

The undersigned declares, (or certifies, or verifies, or states) under penalty of perjury that he is the Petitioner in the above action, that he has read the above pleading, and that the information contained therein is true and correct.

28 USC § 1746 ; 18 USC § 1621

Executed at Oklahoma State Reformatory,
located in Greer County, Oklahoma. Signed
on the 16th Day of July, 2022.

Respectfully,



Robert V. Wensch

828328

P. 5 of 5