

No. \_\_\_\_\_

IN THE  
**SUPREME COURT**  
OF THE UNITED STATES OF AMERICA

\*\*\*\*\*

**J.S., A CHILD**

Plaintiff - Respondent,

v.

**THE STATE OF TEXAS**

Defendant - Petitioner.

\*\*\*\*\*

**ON PETITION FOR WRIT OF CERTIORARI TO  
THE SEVENTH COURT OF APPEALS OF TEXAS**

\*\*\*\*\*

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): Potter County (TX) Court-at-Law.

Petitioner's affidavit or declaration in support of this motion is attached hereto, and a copy of the order of appointment is appended.

Respectfully submitted,

/s/ John Bennett  
John Bennett  
2607 Wolflin Avenue #106  
Amarillo, Texas 79109  
(806) 282-4455  
Fax: (806) 398-1988  
email: AppealsAttorney@gmail.com  
Texas State Bar No. 00785691  
Attorney for the Petitioner

## **PROOF OF SERVICE**

This is to certify that a true and correct copy of the Motion for Leave to Proceed *In Forma Pauperis* was served by email on Scott Brumley, Esq., Potter County Attorney, and on Ken Paxton, Attorney General of Texas, on August 8, 2022.

/s/ John Bennett  
John Bennett

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

I, JACOB SOLIS, 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>2,000</u>                                  | \$ _____ | \$ <u>2,000</u>            | \$ _____ |
| Self-employment  | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| Income from real property<br>(such as rental income)                 | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| Interest and dividends   | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| Gifts  | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| Alimony  | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| Child Support  | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| Retirement (such as social security, pensions, annuities, insurance) | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| Disability (such as social security, insurance payments)             | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| Unemployment payments  | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| Public-assistance<br>(such as welfare)                               | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| Other (specify): _____   | \$ <u>0</u>                                      | \$ _____ | \$ <u>0</u>                | \$ _____ |
| <b>Total monthly income:</b>   | \$ <u>2,000</u>                                  | \$ _____ | \$ <u>2,000</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 |
|---------------|--------------------------|----------------------|-------------------|
| Polo Mendez   | 1310 SE 10 <sup>th</sup> | 2021-2022            | \$ 21000          |
| Noah Mendez   | 1310                     | Before that          | \$                |
| Blanca Mendez |                          | I was in High School | \$                |

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 |
|----------|---------|---------------------|-------------------|
| N/A      |         |                     | \$                |
|          |         |                     | \$                |
|          |         |                     | \$                |

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.

| Type of account (e.g., checking or savings) | Amount you have | Amount your spouse has |
|---|-----------------|------------------------|
| <u>0</u>                                    | \$ <u>0</u>     | \$ <u>N/A</u>          |
| <u>0</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 0  
 Value 0

Motor Vehicle #2  
 Year, make & model 0  
 Value 0

Other assets  
 Description 0  
 Value 0

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> |
|--|---------------------------|-----------------------------------|
| 0  | \$ 0                      | \$ 0                              |
| 0  | \$ 0                      | \$ 0                              |
| 0  | \$ 0                      | \$ 0                              |

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").

| <b>Name</b> | <b>Relationship</b> | <b>Age</b> |
|-------------|---------------------|------------|
| 0           | 0                   | 0          |
| 0           | 0                   | 0          |
| 0           | 0                   | 0          |

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.

|  | <b>You</b> | <b>Your spouse</b> |
|--|------------|--------------------|
| Rent or home-mortgage payment<br>(include lot rented for mobile home)                    | \$ 0       | \$ 0               |
| 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,<br>water, sewer, and telephone)                    | \$ 0       | \$ 0               |
| Home maintenance (repairs and upkeep)  | \$ 0       | \$ 0               |
| Food   | \$ 1,000   | \$ 0               |
| Clothing   | \$ 50      | \$ 0               |
| Laundry and dry-cleaning   | \$ 0       | \$ 0               |
| Medical and dental expenses  | \$ 0       | \$ 0               |

|   | <b>You</b>     | <b>Your spouse</b> |
|---|----------------|--------------------|
| Transportation (not including motor vehicle payments)                                       | \$ 100         | \$ 0               |
| Recreation, entertainment, newspapers, magazines, etc.                                      | \$ 100         | \$ 0               |
| Insurance (not deducted from wages or included in mortgage payments)                        |                |                    |
| Homeowner's or renter's   | \$ 0           | \$ 0               |
| Life  | \$ 0           | \$ 0               |
| Health  | \$ 0           | \$ 0               |
| Motor Vehicle   | \$ 0           | \$ 0               |
| Other: _____  | \$ 0           | \$ 0               |
| Taxes (not deducted from wages or included in mortgage payments)                            |                |                    |
| (specify): _____  | \$ 0           | \$ 0               |
| Installment payments  |                |                    |
| Motor Vehicle   | \$ 0           | \$ 0               |
| Credit card(s)  | \$ 300         | \$ 0               |
| Department store(s)   | \$ 0           | \$ 0               |
| Other: _____  | \$ 0           | \$ 0               |
| Alimony, maintenance, and support paid to others  | \$ 0           | \$ 0               |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ 0           | \$ 0               |
| Other (specify): <u>Leg Monitor</u>   | \$ 300         | \$ 0               |
| <b>Total monthly expenses:</b>  | <b>\$ 1850</b> | <b>\$ 0</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  No

If yes, how much? N/A

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? N/A

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 19

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

Executed on: JULY 28, 2022

Jacob Solis

(Signature)

11246-1-JV  
NO. 80462-B-CR

STEPHНИE MENKE  
DISTRICT CLERK  
April 13, 2021 10:15 A  
POTTER COUNTY, TEXAS  
BY *JH* DEPUTY

STATE OF TEXAS X IN THE 181<sup>st</sup> DISTRICT COURT  
VS. X IN AND FOR  
J.S., A JUVENILE X POTTER COUNTY, TEXAS

ORDER APPOINTING AND SUBSTITUTING COUNSEL

IT IS ORDERED, ADJUDGED AND DECREED that RAYN BROWN is no longer the attorney for J.S., in the above cause number and JOHN BENNETT is appointed and substituted as attorney of record for the defendant.

SIGNED and ENTERED this 10<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_  
JUDGE PRESIDING