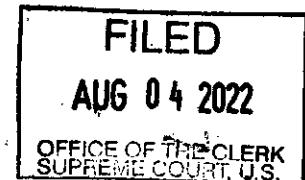


22-5410
No.

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Claud R. Koerber — PETITIONER
(Your Name)

VS.

United States of America — 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):

United States District Court (D. Utah) approximately 2011-2018

United States Court of Appeals (10th Cir.) 2014-2016

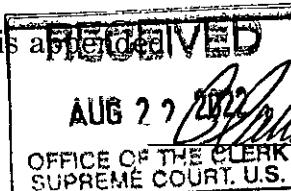
Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

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 attached.



(Signature)

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

I, Claud R. Koerber, 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	\$ 30.00	\$ 500.00	\$ 20.00	\$ 900.00
Self-employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 2000.00	\$ 0	\$ 2000.00
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 500.00	\$ 0	\$ 0
Other (specify):	\$ 0	\$ 0	\$ 0	\$ 0
Total monthly income:	\$ 30.00	\$ 3000.00	\$ 20.00	\$ 2900.00

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>Bureau of Prisons</u>	<u>TRM ISLAND</u>	<u>2/2020</u>	<u>\$ 50.00</u>
	<u>ENGLEWOOD</u>	<u>5/2022</u>	<u>\$ 20.00</u>
			<u>\$</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>Skousen Law Firm</u>	<u>S.Jordan, UT</u>	<u>3/2022</u>	<u>\$ 900.00</u>
<u>Def. Aid. Soc.</u>	<u>S.Jordan, UT</u>	<u>10/2020</u>	<u>\$ 500.00</u>
			<u>\$</u>

4. How much cash do you and your spouse have? \$ 1,000

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>Checking</u>	<u>\$</u>	<u>\$ 1,000</u>
<u>BOP Trust Fund</u>	<u>\$ 150.00</u>	<u>\$</u>
	<u>\$</u>	<u>\$</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 _____

Other real estate
Value _____

Motor Vehicle #1
Year, make & model 2004 Chev. Sbrbn
Value \$1,500

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

Other assets
Description n/a
Value _____

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>n/a</u>	\$ _____	\$ _____
<u>n/a</u>	\$ _____	\$ _____
<u>n/a</u>	\$ _____	\$ _____

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>JFK, BJKF, SMKE, DRKF</u>	<u>Child, Step Children</u>	<u>22, 17, 16, 15</u>
<u>CMKF, ALKF</u>	<u>Children</u>	<u>12, 11</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	\$ _____ 900.00
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ _____ 0	\$ _____ 400.00
Home maintenance (repairs and upkeep)	\$ _____ 0	\$ _____ 200.00
Food	\$ _____ 150.00	\$ _____ 600.00
Clothing	\$ _____ 0	\$ _____ 100.00
Laundry and dry-cleaning	\$ _____ 0	\$ _____ 0
Medical and dental expenses	\$ _____ 0	\$ _____ 200.00

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0	\$ 400.00
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 100.00
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	\$ 150.00
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)	\$ 0	\$ 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	\$ 200.00
Other (specify): _____	\$ 0	\$ 0
Total monthly expenses:	\$ 150.00	\$ 3050.00

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? \$860,000 (2009-2012); \$50,000 (2019-2022)
\$200,000 (2019-2022) Outstanding

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

Marcus R. Mumford (Salt Lake, UT) Deceased (2009-2012)
Zimmerman Booher, 341 S. Main St., 4th Fl., (2019-2022)
Att. Dick Baldwin Salt Lake City, UT 84111

[I've paid nothing related to this form or S. Court Petition]

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 exhausted my ability to pay in the early stages of this case (2009-2012) and exhausted my ability to obtain money from family for the appeal (2019-2022). I am now representing myself, while incarcerated in federal prison. I've been incarcerated since 2019. Prior to this I was the sole income earner for my family.

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

Executed on: July 21, 2022


(Signature)