

22-5495

No. _____

ORIGINAL

Supreme Court, U.S.
FILED

AUG 18 2022

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Miguel Thomas — PETITIONER
(Your Name)

VS.

Allison L. Freed — 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):

Michigan Court of Appeals and Michigan
Supreme Court

☐ 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.

Miguel Thomas
(Signature)

RECEIVED

AUG 24 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Micque Thomas, 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>yes</u>	\$ _____	\$ <u>25.00</u>	\$ _____
Self-employment	\$ <u>no</u>	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ <u>no</u>	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ <u>no</u>	\$ _____	\$ _____	\$ _____
Gifts	\$ <u>no</u>	\$ _____	\$ _____	\$ _____
Alimony	\$ <u>no</u>	\$ _____	\$ _____	\$ _____
Child Support	\$ <u>no</u>	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>no</u>	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>no</u>	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ <u>no</u>	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ <u>no</u>	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ <u>Nothing</u>	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ <u>25.00</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
MPac porter	JCF Facility	2020	\$ 25.00
	3500 N. Elm Rd		\$
	Jackson MI 49201		\$

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
NONE	NONE	NONE	\$ NONE
			\$
			\$

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	\$ NONE	\$ NONE
	\$	\$
	\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

☐ Home
Value NONE

☐ Other real estate
Value NONE

☐ Motor Vehicle #1
Year, make & model NONE
Value _____

☐ Motor Vehicle #2
Year, make & model NONE
Value _____

☐ Other assets
Description NONE
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

NONE

Amount owed to you

\$ NONE

\$ _____

\$ _____

Amount owed to your spouse

\$ NONE

\$ _____

\$ _____

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

NONE

Relationship

NONE

Age

NONE

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)

\$ NONE

\$ NONE

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

\$ NONE

\$ NONE

Home maintenance (repairs and upkeep)

\$ NONE

\$ NONE

Food

\$ NONE

\$ NONE

Clothing

\$ NONE

\$ NONE

Laundry and dry-cleaning

\$ NONE

\$ NONE

Medical and dental expenses

\$ NONE

\$ NONE

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>NONE</u>	\$ <u>NONE</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>NONE</u>	\$ <u>NONE</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>NONE</u>	\$ <u>NONE</u>
Life	\$ <u>NONE</u>	\$ <u>NONE</u>
Health	\$ <u>None</u>	\$ <u>None</u>
Motor Vehicle	\$ <u>None</u>	\$ <u>None</u>
Other: _____	\$ <u>None</u>	\$ <u>None</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>NONE</u>	\$ <u>NONE</u>
Installment payments		
Motor Vehicle	\$ <u>N/A</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>N/A</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>N/A</u>	\$ <u>N/A</u>
Other: _____	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>N/A</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>N/A</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>N/A</u>	\$ <u>N/A</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 indigent and have no outside support and 25.00 dollar a month doesn't allow me to pay the cost to file my case before this Honorable court.

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

Executed on: August 17th, 2022

Muagur P. Thomas
(Signature)

STATE OF MICHIGAN

**CERTIFICATE OF PRISONER ACCOUNT ACTIVITY
AND AFFIDAVIT REGARDING SUSPENSION OF PRISONER FEES/COSTS**

Prisoner-Plaintiff/Petitioner/Appellant name and number
Micquel Thomas 636589

Defendant's/Respondent's/Appellee's name
Allison L. Freed

v

CERTIFICATE OF PRISONER ACCOUNT ACTIVITY

I am employed by the Michigan Department of Corrections at the facility identified below, at which the prisoner identified as the Plaintiff/Petitioner/Appellant is currently incarcerated.

Attached is a computer printout which accurately reflects the current spendable balance and all activity within this prisoner's account during the preceding twelve months or, if the prisoner has been incarcerated for less than twelve months, for the period of incarceration. Code "C" on the printout represents a withdrawal from the account and code "D" represents a deposit to the account. The attached printout reflects, for the reported period, an average monthly account deposit (i.e., total deposits divided by number of months) of \$57.82 and an average monthly account balance (i.e., total deposits minus total withdrawals divided by number of months) of \$4.14. There is a current spendable account balance of \$25.20.

Date: 08/08/2021


Signature

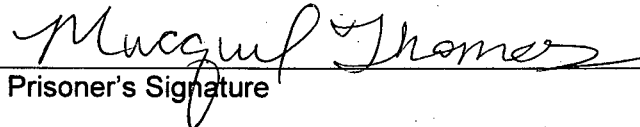
1 - CFM
/ Title

G Robert Cotton
Correctional Facility

Note: Bottom section to be completed by prisoner and sent by prisoner to a Michigan court along with State civil pleading/claim of appeal.

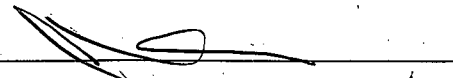
AFFIDAVIT REGARDING SUSPENSION OF PRISONER FEES/COSTS

1. I am the Plaintiff/Respondent/Appellant in the attached pleading/petition/claim of appeal.
2. I am asking the court for suspension of filing fees and costs because I am indigent as reflected in the Certificate of Prisoner Account Activity and attached computer print-out.


Prisoner's Signature

Subscribed and sworn to before me, a Notary Public,

this 17 day of August, 2021.



JOHN CULLIVER
NOTARY PUBLIC, STATE OF MI
COUNTY OF INGHAM
MY COMMISSION EXPIRES Feb 5, 2025
IN THE COUNTY OF Tucker

My Commission Expires: 02/05/2025

CSJ-276 7/07

Daily Transaction Summary: August 08, 2021 - August 08, 2022

Page 1

Offender Information

Offender Number: 0636589	Institution: JCF	Living Unit: E	Primary Balance: \$167.24
Offender Name: Thomas, Micquel Shemario	Housing Facility: JCF	Cell: 91	Available Balance: \$25.20
Account Status: Open	Tier: U	Bed: Top	

Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
08/08/2021						\$117.51	
08/13/2021 06:55:12 AM	JCF-Institutional Services	500 - Institutional Services		\$31.92		\$149.43	JCF
08/19/2021 01:31:17 AM	Commissary Sale	Keefe Commissary	C104023583		(\$49.31)	\$100.12	JCF
08/25/2021 01:31:03 AM	Commissary Sale	Keefe Commissary	C104023583		\$3.00	\$103.12	JCF
09/07/2021 07:40:07 PM	Kiosk Request	JPay Inc.			(\$5.00)	\$98.12	COF
09/08/2021 05:10:09 AM	GTL	Joyce Thomas		\$50.00		\$148.12	COF
09/15/2021 02:00:13 PM	JCF-Institutional Services	500 - Institutional Services		\$35.28		\$183.40	JCF
09/16/2021 01:31:27 AM	Commissary Sale	Keefe Commissary	C104069741		(\$51.43)	\$131.97	JCF
09/23/2021 03:33:47 PM	Mike's Better Shoes Disb.	Mikes Better Shoes	JCF MBS shoes		(\$89.02)	\$42.95	JCF
10/01/2021 11:46:57 AM	Legal Stamps	JCF Institutional Services			(\$0.53)	\$42.42	JCF
10/01/2021 11:47:51 AM	Legal Stamps	JCF Institutional Services			(\$0.53)	\$41.89	JCF
10/03/2021 07:40:12 PM	Kiosk Request	JPay Inc.			(\$5.00)	\$36.89	COF
10/05/2021 05:10:08 AM	GTL	Michala Carter		\$47.00		\$83.89	COF
10/14/2021 08:53:33 AM	JCF-Institutional Services	500 - Institutional Services		\$35.28		\$119.17	JCF
10/25/2021 03:06:54 PM	JL Marcus Disbursement	Jack L Marcus	socks,shirt,briefs		(\$47.44)	\$71.73	JCF
11/06/2021 07:40:07 PM	Kiosk Request	JPay Inc.			(\$4.17)	\$67.56	COF
11/15/2021 05:10:08 AM	GTL	Michala Carter		\$46.00		\$113.56	COF
11/15/2021 05:10:08 AM	GTL	Michala Carter		\$5.00		\$118.56	COF
11/15/2021 11:04:34 AM	JCF-Institutional Services	500 - Institutional Services		\$36.12		\$154.68	JCF
11/18/2021 07:40:12 PM	Kiosk Request	JPay Inc.			(\$4.81)	\$149.87	COF
11/25/2021 01:30:57 AM	Commissary Sale	Keefe Commissary	C104189176		(\$10.44)	\$139.43	JCF
12/09/2021 01:31:27 AM	Commissary Sale	Keefe Commissary	C104208117		(\$26.51)	\$112.92	JCF
12/14/2021 06:42:53 AM	JCF-Institutional Services	500 - Institutional Services		\$32.76		\$145.68	JCF
12/16/2021 01:36:28 AM	Commissary Sale	Keefe Commissary	C104208117		\$1.40	\$147.08	JCF
01/05/2022 08:43:50 AM	Dental Co-Pay Disbursement	Health Care Co-Pay	DEN JCF DOS 120921		(\$5.00)	\$142.08	JCF
01/06/2022 01:31:09 AM	Commissary Sale	Keefe Commissary	C104252977		(\$33.03)	\$109.05	JCF
01/14/2022 09:47:31 AM	JCF-Institutional Services	500 - Institutional Services		\$34.44		\$143.49	JCF
01/20/2022 01:31:20 AM	Commissary Sale	Keefe Commissary	C104276014		(\$18.00)	\$125.49	JCF
02/03/2022 01:31:18 AM	Commissary Sale	Keefe Commissary	C104296954		(\$19.98)	\$105.51	JCF
02/14/2022 08:37:59 AM	JCF-Institutional Services	500 - Institutional Services		\$33.60		\$139.11	JCF
02/21/2022 07:40:08 PM	Kiosk Request	JPay Inc.			(\$5.00)	\$134.11	COF

Primary Trust Transaction

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
03/02/2022 05:10:14 AM	GTL	Michala Carter		\$50.00		\$184.11	COF
03/03/2022 01:31:18 AM	Commissary Sale	Keefe Commissary	C104342265		(\$14.00)	\$170.11	JCF
03/03/2022 07:40:09 PM	Kiosk Request	JPAY Inc.			(\$42.39)	\$127.72	COF
03/14/2022 07:10:35 AM	JCF-Institutional Services	500 - Institutional Services		\$31.92		\$159.64	JCF
03/23/2022 07:40:09 PM	Kiosk Request	JPAY Inc.			(\$5.00)	\$154.64	COF
04/02/2022 05:10:14 AM	GTL	Michala Carter		\$50.00		\$204.64	COF
04/04/2022 08:33:56 AM	Regular Copies Disbursement	JCF PBF Copies	REG CPY JCF 04.03.22		(\$1.20)	\$203.44	JCF
04/06/2022 11:54:28 AM	Legal Stamps	JCF Institutional Services			(\$0.73)	\$202.71	JCF
04/06/2022 11:55:16 AM	Legal Stamps	JCF Institutional Services			(\$0.73)	\$201.98	JCF
04/07/2022 07:40:07 PM	Kiosk Request	JPAY Inc.			(\$2.00)	\$199.98	COF
04/15/2022 10:05:37 AM	JCF-Institutional Services	500 - Institutional Services		\$4.20		\$204.18	JCF
04/18/2022 08:05:08 AM	Union Supply Disbursement	Union Supply	shirt,sandal,briefs		(\$62.20)	\$141.98	JCF
04/22/2022 07:40:08 PM	Kiosk Request	JPAY Inc.			(\$1.18)	\$140.80	COF
05/13/2022 09:11:23 AM	JCF-Institutional Services	500 - Institutional Services		\$25.20		\$166.00	JCF
05/14/2022 07:40:11 PM	Kiosk Request	JPAY Inc.			(\$4.86)	\$161.14	COF
05/21/2022 05:10:09 AM	GTL	Michala Carter		\$25.00		\$186.14	COF
06/01/2022 09:34:15 AM	Vendor Refund	Union Supply Group		\$18.89		\$205.03	COF
06/08/2022 03:35:00 PM	Regular Copies Disbursement	JCF PBF Copies	REG CPY 060822		(\$0.90)	\$204.13	JCF
06/14/2022 03:09:10 PM	JCF-Institutional Services	500 - Institutional Services		\$26.04		\$230.17	JCF
06/16/2022 08:24:41 AM	MSI Shorts Disbursement	MSI Shorts - 1242	JCF MSI Shorts - 124		(\$23.32)	\$206.85	JCF
06/18/2022 05:10:09 AM	GTL	Dekpough Akaazua		\$25.00		\$231.85	COF
07/01/2022 11:19:26 AM	Access Catalog Disbursement	Access Catalog			(\$83.28)	\$148.57	JCF
07/02/2022 07:40:07 PM	Kiosk Request	JPAY Inc.			(\$5.00)	\$143.57	COF
07/03/2022 07:40:09 PM	Kiosk Request	JPAY Inc.			(\$1.53)	\$142.04	COF
07/15/2022 08:12:05 AM	JCF-Institutional Services	500 - Institutional Services		\$25.20		\$167.24	JCF
07/21/2022 07:40:12 PM	Kiosk Request	JPAY Inc.			(\$25.00)	\$142.24	COF
08/04/2022 12:03:42 PM	Regular Copies Disbursement	JCF PBF Copies	reg cpy NSF \$1.00		\$0.00	\$142.24	JCF
08/07/2022 05:10:11 AM	GTL	Michala Carter		\$25.00		\$167.24	COF
08/08/2022				\$693.85	(\$644.12)	\$167.24	

Savings

Date	Deposit	Expense	Balance	Loc Code
08/08/2021			\$0.00	
No Activity				
08/08/2022	\$0.00	\$0.00	\$0.00	

Holds - Current as of Date and Time of Report

Date Held	Hold Type	Notes	Amount
09/15/2021	Obligation	Auto Hold for - 06-10322-FH	\$17.64
09/15/2021	Obligation	Auto Hold for - 19-02661-FH	\$17.64
10/14/2021	Obligation	Auto Hold for - 06-10322-FH	\$16.14
10/14/2021	Obligation	Auto Hold for - 19-02661-FH	\$16.14
11/15/2021	Obligation	Auto Hold for - 06-10322-FH	\$0.50
11/15/2021	Obligation	Auto Hold for - 19-02661-FH	\$0.50
11/15/2021	Obligation	Auto Hold for - 06-10322-FH	\$18.06
11/15/2021	Obligation	Auto Hold for - 19-02661-FH	\$18.06
03/14/2022	Obligation	Auto Hold for - 06-10322-FH	\$15.96
03/14/2022	Obligation	Auto Hold for - 19-02661-FH	\$15.96
04/15/2022	Obligation	Auto Hold for - 06-10322-FH	\$2.10
04/15/2022	Obligation	Auto Hold for - 19-02661-FH	\$2.10
05/21/2022	Obligation	Auto Hold for - 06-10322-FH	\$0.10
05/21/2022	Obligation	Auto Hold for - 19-02661-FH	\$0.10
06/18/2022	Obligation	Auto Hold for - 06-10322-FH	\$0.52
06/18/2022	Obligation	Auto Hold for - 19-02661-FH	\$0.52

Remaining Obligations - Current as of Date and Time of Report

Description	Paid To	Max Per Period	Ordered	Transfer	Outside Source	Held	Paid	Written Off	Total Remaining
Restitution - Court Charges - 06-10322-FH	17TH JUDICIAL CIRCUIT KENT	N/A	\$780.00	\$222.02	\$0.00	\$71.02	\$135.32	N/A	\$351.64
Restitution - Court Charges - 19-02661-FH	17TH JUDICIAL CIRCUIT KENT	N/A	\$1,334.00	\$10.96	\$0.00	\$71.02	\$135.32	N/A	\$1,116.70
								Total:	\$1,468.34