

22-5541
18-3390
No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
SEP 06 2022
OFFICE OF THE CLERK

EDWIN PAWLOWSKI

(Your Name) — PETITIONER

United States of VS.
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*.

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

[x] 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.

Edwin Pawlowski
(Signature)

RECEIVED
SEP - 8 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Edwin Pawlowski, 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	\$ 63.00	\$4,457.00	\$ 63.00	\$ 4,457.00
Self-employment	\$	\$	\$	\$
Income from real property (such as rental income)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Interest and dividends	\$	\$	\$	\$
Gifts	\$	\$	\$	\$
Alimony	\$	\$	\$	\$
Child Support	\$	\$	\$	\$
Retirement (such as social security, pensions, annuities, insurance)	\$	\$	\$	\$
Disability (such as social security, insurance payments)	\$	\$	\$	\$
Unemployment payments	\$	\$	\$	\$
Public-assistance (such as welfare)	\$	\$	\$	\$
Other (specify):	\$	\$	\$	\$
Total monthly income:	\$ 63.00	\$ 4,457.00	\$ 63.00	\$ 4,457.00

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
None	\$ 0.00	\$ 0.00
	\$	\$
	\$	\$

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

Name	Relationship	Age
Mercy Pawlowski	Daughter	23
Alex Pawlowski	Son	20

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)	\$	\$ 850.00
Are real estate taxes included? ☒ Yes ☐ No		
Is property insurance included? ☒ Yes ☐ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$	\$ 600.00
Home maintenance (repairs and upkeep)	\$	\$ 500.00
Food	\$ 175.00	\$ 800.00
Clothing	\$ 10.00	\$ 50.00
Laundry and dry-cleaning	\$ 25.00	\$ 50.00
Medical and dental expenses	\$ 25.00	\$ 25.00

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ _____	\$ 300.00
Recreation, entertainment, newspapers, magazines, etc.	\$ 15.00	\$ 160.00
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ _____	\$ _____
Life	\$ _____	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ _____	\$ 146.00
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ 0.00
Installment payments		
Motor Vehicle	\$ _____	\$ 0.00
Credit card(s)	\$ _____	\$ 0.00
Department store(s)	\$ _____	\$ 0.00
Other: <u>Back Taxes</u>	\$ _____	\$ 170.00
Alimony, maintenance, and support paid to others	\$ _____	\$ 0.00
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ 0.00
Other (specify): <u>Prison Commissary</u>	\$ _____	\$ 200.00
Total monthly expenses:	\$ _____	\$ 3,876.00

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
Bureau of Prisons		12/18 to present	\$ 50.00
			\$
			\$

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
KS Consultants	1520 Main Street, SW Warrington, PA 18976	11/2018-Present	\$ 4,457.00
			\$
			\$

4. How much cash do you and your spouse have? \$ 7,500.00

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
Wells Fargo	Checking	\$	\$ 2,000.00
Wells Fargo	Savings	\$	\$ 4,500.00
Vanguard	IRA	\$ 29,000.00	\$ 100,000.00

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

☒ Home
Value 175,000.00

☐ Other real estate
Value N/A

☒ Motor Vehicle #1
Year, make & model Toyota, Corolla 2015
Value 8,000.00

☒ Motor Vehicle #2
Year, make & model Subaru, Outback 2011
Value 8,000.00

☐ Other assets
Description
Value

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

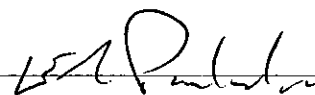
If yes, how much? _____

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 was the sole bread winner for many years in our household until becoming incarcerated in 2018. My wife now works as a case management consultant and barely makes enough to pay our monthly bills. I don't even make enough as a GED tutor in prison to pay for my monthly commissary and thus rely on my wife. The filing fee and legal costs should my writ be accepted for review are far to costly for us at this time. Please have mercy and allow me to submit forma pauperis. Thak You. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 9/2, 2022



(Signature)

Date: 08/29/2022
Time: 1:34:51 PM

Federal Bureau of Prisons
TRUFACS
Inmate Statement
Sensitive But Unclassified

Facility: CUM

Start Date:	02/28/2022
End Date:	08/29/2022
Inmate Reg #:	76166066
Account Status:	All
Institution:	All

**ACCOUNT STATEMENT
CERTIFIED CORRECT**

B. Martin, Trust Fund Specialist
FCI Cumberland, MD

Date

8/29/22

Date: 08/29/2022
Time: 1:34:51 PM

Federal Bureau of Prisons
TRUFACS

Facility: CUM

Inmate Statement
Sensitive But Unclassified

General Information

Inmate Reg#: 76166066
Inmate Name: PAWLOWSKI, EDWIN
Current Site Name: Cumberland FCI
Housing Unit: CUM-G-A
Living Quarter: G02-151L
Arrived From: OKL
Transferred To:
Account Creation Date: 10/31/2018

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction		Ending Balance
						Amount	Encumbrance Amount	
CUM	03/04/2022 11:40:50 AM	7			Sales	(\$159.70)		\$30.70
CUM	03/06/2022 05:39:50 PM	TL0306			TRUL Withdrawal	(\$10.00)		\$20.70
CUM	03/08/2022 01:27:46 PM	XIPP0222			Payroll - IPP	\$46.40		\$67.10
CUM	03/08/2022 01:28:09 PM	XFRP0322			FRP Quarterly Pymt	(\$25.00)		\$42.10
CUM	03/09/2022 07:30:27 AM	TL0309			TRUL Withdrawal	(\$5.00)		\$37.10
CUM	03/11/2022 11:57:37 AM	12			Sales	(\$34.00)		\$3.10
CUM	03/13/2022 10:08:06 PM	33322072			Western Union	\$300.00		\$303.10
CUM	03/14/2022 09:02:51 PM	TL0314			TRUL Withdrawal	(\$15.00)		\$288.10
CUM	03/18/2022 12:18:58 PM	26			Sales	(\$78.20)		\$209.90
CUM	03/18/2022 12:20:18 PM	27			Sales	(\$14.30)		\$195.60
CUM	03/22/2022 11:45:38 AM	14			Sales	(\$145.35)		\$50.25
CUM	03/25/2022 08:34:45 PM	TL0325			TRUL Withdrawal	(\$10.00)		\$40.25
CUM	03/26/2022 01:50:16 PM	TL0326			TRUL Withdrawal	(\$15.00)		\$25.25
CUM	04/04/2022 05:15:17 PM	TL0404			TRUL Withdrawal	(\$10.00)		\$15.25
CUM	04/05/2022 06:07:21 PM	33322095			Western Union	\$200.00		\$215.25
CUM	04/08/2022 01:27:29 PM	XIPP0322			Payroll - IPP	\$64.00		\$279.25
CUM	04/08/2022 03:12:48 PM	12			Sales	(\$93.45)		\$185.80
CUM	04/14/2022 12:02:01 PM	17			Sales	(\$76.25)		\$109.55
CUM	04/17/2022 08:16:23 PM	TL0417			TRUL Withdrawal	(\$10.00)		\$99.55
CUM	04/21/2022 03:11:04 PM	32			Sales	(\$58.85)		\$40.70
CUM	04/28/2022 11:53:28 AM	16			Sales	(\$37.25)		\$3.45
CUM	05/01/2022 07:08:31 PM	33322121			Western Union	\$200.00		\$203.45
CUM	05/02/2022 08:38:25 AM	TL0502			TRUL Withdrawal	(\$30.00)		\$173.45
CUM	05/02/2022 09:11:13 PM	TL0502			TRUL Withdrawal	(\$10.00)		\$163.45
CUM	05/04/2022 11:49:21 AM	9			Sales	(\$111.70)		\$51.75

Date: 08/29/2022
Time: 1:34:51 PM

Federal Bureau of Prisons
TRUFACS

Facility: CUM

Inmate Statement
Sensitive But Unclassified

General Information

Inmate Reg#: 76166066
Inmate Name: PAWLOWSKI, EDWIN
Current Site Name: Cumberland FCI
Housing Unit: CUM-G-A
Living Quarter: G02-151L
Arrived From: OKL
Transferred To:
Account Creation Date: 10/31/2018

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction	
						Amount	Encumbrance Amount
CUM	05/09/2022 07:53:34 AM	XIPP0422			Payroll - IPP	\$64.00	\$115.75
CUM	05/18/2022 05:17:52 PM	33			Sales	(\$38.15)	\$77.60
CUM	05/18/2022 10:07:22 PM	33322138			Western Union	\$300.00	\$377.60
CUM	06/03/2022 03:47:21 PM	TL0603			TRUL Withdrawal	(\$10.00)	\$367.60
CUM	06/08/2022 03:56:32 PM	XIPP0522			Payroll - IPP	\$64.00	\$431.60
CUM	06/08/2022 03:57:20 PM	XFRP0622			FRP Quarterly Pymt	(\$25.00)	\$406.60
CUM	06/09/2022 02:38:11 PM	48			Sales	(\$191.95)	\$214.65
CUM	06/09/2022 03:08:32 PM	63			Sales	(\$8.25)	\$206.40
CUM	06/10/2022 10:15:02 AM	TL0610			TRUL Withdrawal	(\$10.00)	\$196.40
CUM	06/13/2022 06:51:55 PM	TL0613			TRUL Withdrawal	(\$10.00)	\$186.40
CUM	06/15/2022 12:04:34 PM	19			Sales	(\$77.60)	\$108.80
CUM	06/15/2022 02:52:26 PM	TL0615			TRUL Withdrawal	(\$5.00)	\$103.80
CUM	06/18/2022 09:01:07 PM	TL0618			TRUL Withdrawal	(\$5.00)	\$98.80
CUM	06/19/2022 11:13:06 AM	TL0619			TRUL Withdrawal	(\$5.00)	\$93.80
CUM	06/23/2022 05:46:12 PM	TL0623			TRUL Withdrawal	(\$10.00)	\$83.80
CUM	06/27/2022 07:14:50 AM	33322178			Western Union	\$225.00	\$308.80
CUM	06/27/2022 02:49:10 PM	TL0627			TRUL Withdrawal	(\$10.00)	\$298.80
CUM	06/30/2022 12:09:15 PM	21			Sales	(\$135.90)	\$162.90
CUM	06/30/2022 04:50:43 PM	65			Sales	(\$3.45)	\$159.45
CUM	07/01/2022 09:32:52 AM	TL0701			TRUL Withdrawal	(\$15.00)	\$144.45
CUM	07/06/2022 06:34:18 PM	TL0706			TRUL Withdrawal	(\$15.00)	\$129.45
CUM	07/08/2022 06:29:14 PM	TL0708			TRUL Withdrawal	(\$10.00)	\$119.45
CUM	07/09/2022 09:02:01 PM	TL0709			TRUL Withdrawal	(\$5.00)	\$114.45
CUM	07/11/2022 08:20:36 AM	XIPP0622			Payroll - IPP	\$64.00	\$178.45
CUM	07/11/2022 11:41:52 AM	TL0711			TRUL Withdrawal	(\$15.00)	\$163.45

Date: 08/29/2022
Time: 1:34:51 PM

Federal Bureau of Prisons
TRUFACS

Facility: CUM

Inmate Statement
Sensitive But Unclassified

General Information

Inmate Reg#: 76166066
Inmate Name: PAWLOWSKI, EDWIN
Current Site Name: Cumberland FCI
Housing Unit: CUM-G-A
Living Quarter: G02-151L
Arrived From: OKL
Transferred To:
Account Creation Date: 10/31/2018

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction		Ending Balance
						Amount	Encumbrance Amount	
CUM	07/11/2022 06:24:27 PM	TL0711			TRUL Withdrawal	(\$10.00)		\$153.45
CUM	07/13/2022 02:49:25 PM	38			Sales	(\$121.85)		\$31.60
CUM	07/14/2022 08:12:54 PM	TL0714			TRUL Withdrawal	(\$10.00)		\$21.60
CUM	07/23/2022 06:17:43 PM	TL0723			TRUL Withdrawal	(\$10.00)		\$11.60
CUM	07/25/2022 08:07:45 AM	33322206			Western Union	\$200.00		\$211.60
CUM	07/27/2022 05:36:05 PM	28			Sales	(\$157.90)		\$53.70
CUM	07/28/2022 04:56:52 PM	19			Sales	(\$20.80)		\$32.90
CUM	08/02/2022 09:08:06 PM	33322214			Western Union	\$50.00		\$82.90
CUM	08/03/2022 05:41:32 PM	77			Sales	(\$74.75)		\$8.15
CUM	08/05/2022 12:59:20 PM	TL0805			TRUL Withdrawal	(\$5.00)		\$3.15
CUM	08/09/2022 07:30:26 AM	XIPP0722			Payroll - IPP	\$64.00		\$67.15
CUM	08/09/2022 11:30:03 AM	2			Sales	(\$17.80)		\$49.35
CUM	08/10/2022 06:49:13 AM	TL0810			TRUL Withdrawal	(\$5.00)		\$44.35
CUM	08/10/2022 01:26:11 PM	31			Sales	(\$34.15)		\$10.20
CUM	08/16/2022 08:39:49 AM	TL0816			TRUL Withdrawal	(\$5.00)		\$5.20
CUM	08/21/2022 01:06:44 PM	33322233			Western Union	\$200.00		\$205.20
CUM	08/23/2022 05:56:12 PM	20			Sales	(\$9.95)		\$195.25
CUM	08/24/2022 02:11:46 PM	47			Sales	(\$187.20)		\$8.05
CUM	08/24/2022 02:16:17 PM	48			Sales	(\$6.50)		\$1.55
Institution Count: 69						Totals: (\$188.85)		\$0.00
Total Count: 69								

Date: 08/29/2022
Time: 1:34:51 PM

Federal Bureau of Prisons
TRUFACS
Inmate Statement
Sensitive But Unclassified

Facility: CUM

General Information

Inmate Reg #: 76166066
Inmate Name: PAWLOWSKI, EDWIN
Current Site Name: Cumberland FCI
Housing Unit: CUM-G-A
Living Quarter: G02-151L
Arrived From: OKL
Transferred To:
Account Creation Date: 10/31/2018

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
CUM	\$1.55	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1.55
Totals:	\$1.55	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1.55

Other Balances

National 6 Months Deposits	National 6 Months Withdrawals	National 6 Months Avg Daily Balance	Local Max. Balance -Prev. 30 Days	Average Balance-Prev. 30 Days	Commissary Restriction Start Date	Commissary Restriction End Date
\$2,041.40	\$2,230.25	\$127.98	\$205.20	\$31.98	N/A	N/A

**ACCOUNT STATEMENT
CERTIFIED CORRECT**

B. Martin, Trust Fund Specialist
FCI Cumberland, MD

Date

8/29/22