

ORIGINAL

No. 22-5577

FILED
SEP 02 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

MARVIN DAVIS - PETITIONER

VS.

KEVIN GENOVESE, Warden - RESPONDENT

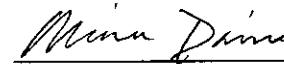
MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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 courts:

In the Shelby County Criminal Court, at Memphis, Tennessee.
In the Court of Criminal Appeals for Tennessee, at Jackson, Tennessee.
In the Supreme Court of Tennessee.
In the United States District Court for the Western District of Tennessee, at Jackson, Tennessee.

Petitioner's affidavit or declaration in support of this motion is attached hereto.



Marvin Davis, # 248020

RECEIVED

SEP 13 2022

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SUPREME COURT, U.S.

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

I, Marvin Davis, # 248020, 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. I do not have wife, and my estimate the average amount of money received from each of the following sources during the past 12 months. The amounts were adjusted to the monthly rate.

| Income source | Average monthly amount during the past 12 months | Amount expected next month |
|--|---|-------------------------------|
| Employment | \$ <u> </u> | \$ <u> </u> |
| Self-employment | \$ <u>43.80</u> | \$ <u>43.80</u> |
| Income from real property (such as rental income) | \$ <u> </u> | \$ <u> </u> |
| Interest and dividends | \$ <u> </u> | \$ <u> </u> |
| Gifts | \$ <u> </u> | \$ <u> </u> |
| Alimony | \$ <u> </u> | \$ <u> </u> |
| Child Support | \$ <u> </u> | \$ <u> </u> |
| Retirement (such as social security, pensions, annuities, insurance) | \$ <u> </u> | \$ <u> </u> |
| Disability (such as social security, insurance payment) | \$ <u> </u> | \$ <u> </u> |
| Unemployment payments | \$ <u> </u> | \$ <u> </u> |
| Public-assistance (such as welfare) | \$ <u> </u> | \$ <u> </u> |
| Other (specify) _____ | \$ <u> </u> | \$ <u> </u> |
| Total monthly income: | \$ <u>43.80</u> | \$ <u>43.80</u> |

2. List of my employment history for the past two (2) years, most recent first (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of Employment | Gross monthly pay |
|----------|---------------------|---------------------|-------------------|
| NWCX | 960 State Route 212 | 2020 - 2022 | \$ <u>43.80</u> |
| _____ | _____ | _____ | \$ _____ |
| _____ | _____ | _____ | \$ _____ |

3. I am an indigent state inmate and I do not have a wife.

4. I do not have cash.

5. I do not have any assets, and I do not have a wife.

6. I do not owe no one other than court cost, and no one owe me any.

7. I do not have dependants.

8. Estimate my average monthly expenses.

I do not pay for rent or home-mortgage payment

I do not pay for utilities.

I do not pay for any maintenance.

I, however, pay for food/commissaries, monthly \$ 50.00

I do not pay for clothing.

I, however, pay for laundry detergent, monthly \$ 10.00

I, however, pay for medical and medical co-pay, monthly \$ 10.00

I do not pay for transportation.

I, however, pay for books, newspapers, and magazines, monthly \$ 10.00

I do not pay for insurance.

I am an indigent state inmate, and I do not pay for taxes.

I do not pay for installment payments.

I do not pay for alimony, maintenance, and support paid to others.

I do not pay for regular expenses for operation of business, profession, or farm.

Other _____ \$ _____.

Total monthly expenses: \$ 80.00

9. I do not expect any major changes to my monthly income or expenses or in my assets or liability during the next 12 months.

10. I have not paid - or will be paying - an attorney for services in connection with this case, including the completion of this form.

11. I have not paid - or will 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.

12. As other information that will help current in forma pauperis request why I cannot pay the costs of this case is that I have been an indigent state inmate since 2011.

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

Executed on : 9 / 2 / 2022.

Marvin Davis
Marvin Davis, # 248020

B101LJED

TOMIS
PROGRAM ASSIGNMENT NOTICE

DATE: 08/17/2021
TIME: 01:10 PM

TOMIS ID: 00248020 DAVIS, MARVIN
Status: ACTV Sex: M Race: B Age: 47 DOB: 01/19/1974

Institution Name: NORTHWEST CORRECTIONAL COMPLEX

Job/Class Name: CLEANER, COMMERCIAL/INDUSTRIAL
Section ID: Position ID: 0196

Job Desc: SWEEPS, MOPS AND BUFFS FLOOR; DUSTS FURNITURE; WASHES
WINDOWS; EMPTIES TRASH CONTAINERS; CLEANS RESTROOMS
THOROUGHLY; FOLLOWS POSTED WORK AREA CLEANING SCHEDULE AND
HOUSEKEEPING SCHEDULE POSTED IN POD/GUILD.
WILL PERFORM OTHER DUTIES AS DIRECTED BY STAFF.

WORK AREA H28

Report to: Currin, Edgar

Report Location

Unit ID: Room:

Work Area: HOUSING UNIT/GUILD (COMPOUND)

Pay Period: HOURLY Pay Rate: 34 Incentive Pay (Y/N): N

Schedule

Start Date: 08/18/2021 Time From: 07:00 AM To: 08:00 PM
End Date : Time From: To:

Day of the Week

Monday X
Tuesday X
Wednesday X
Thursday X
Friday
Saturday
Sunday X

I have had the opportunity
to review and I
understand the job
schedule/expectations

Name/TDOC# Marvin Davis #0248020

120 hour
\$ 43.80 (payment amount)
Monthly