

22-5702

No. _____

FILED
SEP 26 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Henry Clay Smith III — PETITIONER
(Your Name)

VS.

STATE OF ALABAMA — 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):

DALLAS County Circuit Court, ALABAMA Court of
CRIMINAL APPEALS

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.

RECEIVED

SEP 27 2022

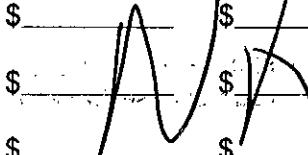
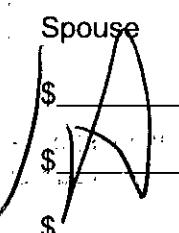
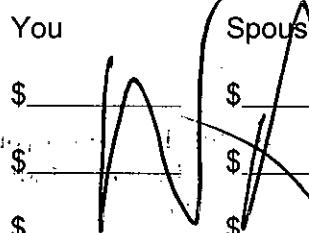
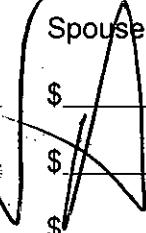
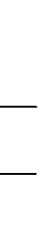
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Henry Clay Smith III
(Signature)

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

I, Henry Clay Smith III, 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
Employment	You  \$  \$  \$  \$  \$  \$  \$  \$  \$ <img alt="Wavy line graph for You showing fluctuating income over 12 months." data-bbox="51	

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

\$
\$
\$

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

\$
\$
\$

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

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

\$
\$
\$

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 _____

Motor Vehicle #2

Year, make & model _____

Value _____

Value _____

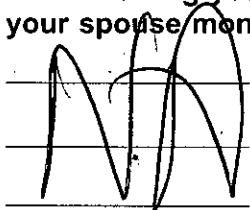
Other assets

Description _____

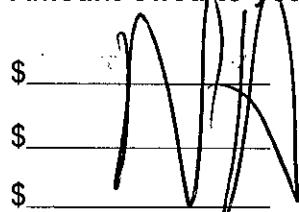
Value _____

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

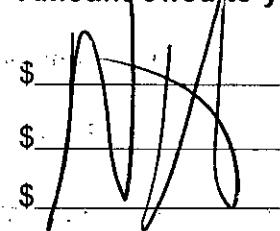
Person owing you or your spouse money



Amount owed to you

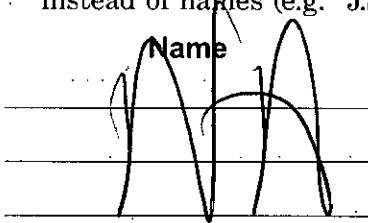


Amount owed to your spouse

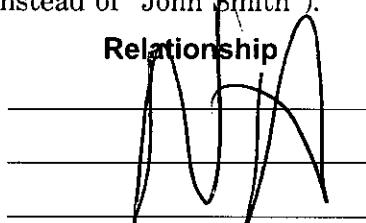


7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

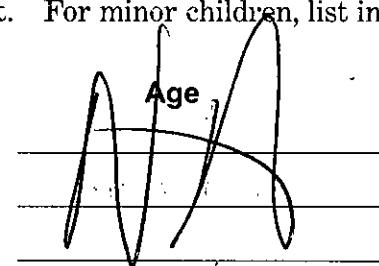
Name



Relationship



Age



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

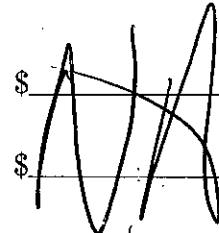
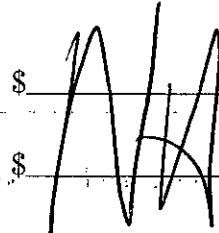
\$

Rent or home-mortgage payment
(include lot rented for mobile home)

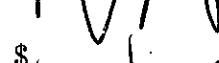
Are real estate taxes included? Yes No

Is property insurance included? Yes No

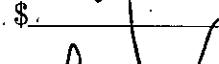
Utilities (electricity, heating fuel,
water, sewer, and telephone)



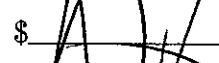
Home maintenance (repairs and upkeep)



Food



Clothing



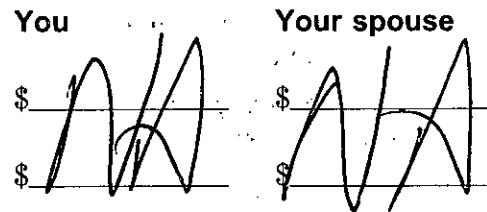
Laundry and dry-cleaning



Medical and dental expenses



Transportation (not including motor vehicle payments)



Recreation, entertainment, newspapers, magazines, etc.

Insurance (not deducted from wages or included in mortgage payments)

Homeowner's or renter's

Life

Health

Motor Vehicle

Other:

Taxes (not deducted from wages or included in mortgage payments)

(specify):

Installment payments

Motor Vehicle

Credit card(s)

Department store(s)

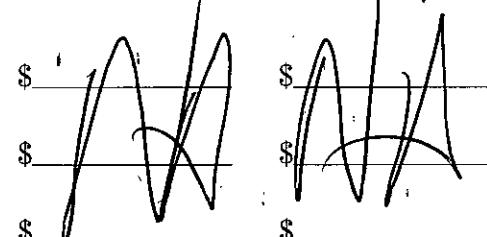
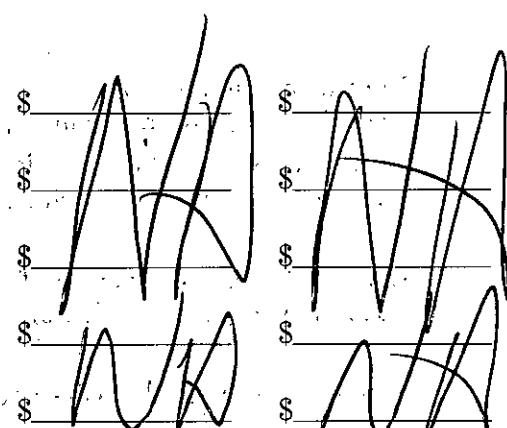
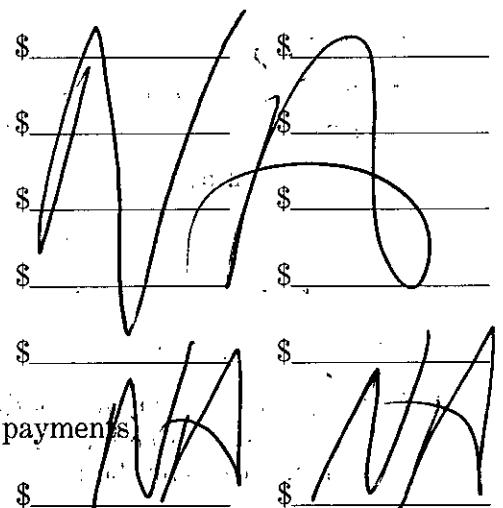
Other:

Alimony, maintenance, and support paid to others

Regular expenses for operation of business, profession, or farm (attach detailed statement)

Other (specify):

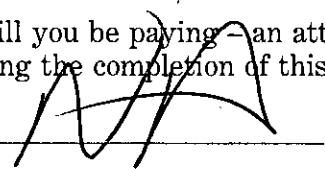
Total monthly expenses:



9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

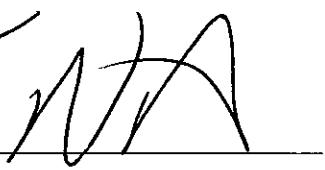
Yes No If yes, describe on an attached sheet.

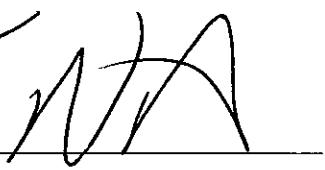
10. Have you paid—or will you be paying—an attorney any money for services in connection with this case, including the completion of this form? Yes No

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 

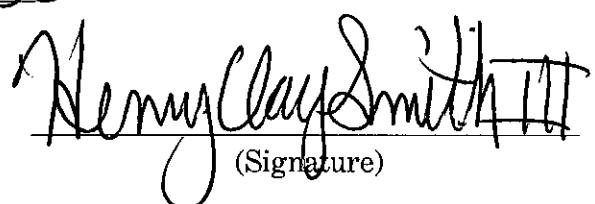
If yes, how much? 

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

Executed on: July 25th, 2022


(Signature)