

No. 22-5923

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

OCT 19 2022

OFFICE OF THE CLERK

MICHAEL L. BERRY — PETITIONER
(Your Name)

VS.

People of The State of Illinois — 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):

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.

Michael L. Berry
(Signature)

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

I, MICHAEL L. BERRY, 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>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Income from real property (such as rental income)	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Interest and dividends	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Gifts	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Alimony	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Child Support	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Disability (such as social security, insurance payments)	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Unemployment payments	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Public-assistance (such as welfare)	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Other (specify): <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Total monthly income:	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </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
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>N/A</u>
			\$ <u></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>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>N/A</u>
			\$ <u></u>
			\$ <u></u>

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.

Financial institution	Type of account	Amount you have	Amount your spouse has
<u>N/A</u>	<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
		\$ <u></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 N/A

Other real estate
Value N/A

Motor Vehicle #1
Year, make & model N/A
Value _____

Motor Vehicle #2
Year, make & model N/A
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>
	\$ <u> </u>	\$ <u> </u>
	\$ <u> </u>	\$ <u> </u>

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

Name	Relationship	Age
<u>N/A</u>	<u>N/A</u>	<u>N/A</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)	\$ <u>N/A</u>	\$ <u>N/A</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u> </u>	\$ <u> </u>
Home maintenance (repairs and upkeep)	\$ <u> </u>	\$ <u> </u>
Food	\$ <u> </u>	\$ <u> </u>
Clothing	\$ <u> </u>	\$ <u> </u>
Laundry and dry-cleaning	\$ <u> </u>	\$ <u> </u>
Medical and dental expenses	\$ <u> </u>	\$ <u> </u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u><u>N/A</u></u>	\$ <u><u>N/A</u></u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u><u>1</u></u>	\$ <u><u></u></u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u><u>N/A</u></u>	\$ <u><u>N/A</u></u>
Life	\$ <u><u></u></u>	\$ <u><u></u></u>
Health	\$ <u><u></u></u>	\$ <u><u></u></u>
Motor Vehicle	\$ <u><u></u></u>	\$ <u><u></u></u>
Other: <u><u>N/A</u></u>	\$ <u><u></u></u>	\$ <u><u></u></u>
Taxes (not deducted from wages or included in mortgage payments) (specify): <u><u>N/A</u></u>	\$ <u><u>N/A</u></u>	\$ <u><u>N/A</u></u>
Installment payments		
Motor Vehicle	\$ <u><u>N/A</u></u>	\$ <u><u>N/A</u></u>
Credit card(s)	\$ <u><u></u></u>	\$ <u><u></u></u>
Department store(s)	\$ <u><u></u></u>	\$ <u><u></u></u>
Other: <u><u>N/A</u></u>	\$ <u><u></u></u>	\$ <u><u></u></u>
Alimony, maintenance, and support paid to others		
Regular expenses for operation of business, profession, or farm (attach detailed statement)		
Other (specify): <u><u>N/A</u></u>		
Total monthly expenses:	\$ <u><u></u></u>	\$ <u><u></u></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? N/A

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? N/A

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.

6 MONTH TRUST FUND ACCOUNT FROM CURRENT INSTITUTION.

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

Executed on: OCTOBER 18, 2022

Michael J. Berry
(Signature)

Date: 10/18/2022

Time: 11:36am

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**Pinckneyville Correctional Center
Trust Fund**

View Transactions

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Inmate: R49732 Berry, Michael L.

Housing Unit: PNK-R2-D -60

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
						Beginning Balance:	25.39
04/16/22	Mail Room	16 GTL	106200	921652286787001687	West, Renee	20.00	45.39
04/19/22	Point of Sale	60 Commissary	1097117	1186487	Commissary	-41.84	3.55
05/03/22	Mail Room	15 JPAY	123200	142904220	Tucker, Latonya	50.00	53.55
05/03/22	Point of Sale	60 Commissary	1237117	1189477	Commissary	-40.75	12.80
05/04/22	Mail Room	15 JPAY	124200	142962553	Johnson, Byron	50.00	62.80
05/10/22	Point of Sale	60 Commissary	1307200	1191036	Commissary	-33.34	29.46
05/10/22	Point of Sale	60 Commissary	1307200	1191044	Commissary	-10.98	18.48
05/13/22	Payroll	20 Payroll Adjustment	1331206		P/R month of 4 2022	17.00	35.48
05/17/22	Mail Room	16 GTL	137200	49172512305063270	West, Renee	20.00	55.48
05/17/22	Point of Sale	60 Commissary	1377117	1192636	Commissary	-36.84	18.64
05/17/22	Point of Sale	60 Commissary	1377117	1192638	Commissary	-12.99	5.65
05/24/22	Mail Room	15 JPAY	144200	143626021	Johnson, Byron	50.00	55.65
05/24/22	Point of Sale	60 Commissary	1447117	1194336	Commissary	-39.67	15.98
05/31/22	Point of Sale	60 Commissary	1517117	1195484	Commissary	-11.71	4.27
06/10/22	Payroll	20 Payroll Adjustment	1611206		P/R month of 5 2022	17.00	21.27
06/12/22	Mail Room	15 JPAY	163200	144296776	Tucker, Latonya	100.00	121.27
06/13/22	Disbursements	84 Library	1643206	Chk #125042	162335, DOC: 523 Fun, Inv. Date: 06/10/2022	-1.10	120.17
06/13/22	Disbursements	80 Postage	1643206	Chk #125049	162213, Reserve Acct, Inv. Date: 06/07/2022	-.77	119.40
06/13/22	Disbursements	81 Legal Postage	1643206	Chk #125049	162329, Reserve Acct, Inv. Date: 06/10/2022	-1.76	117.64
06/13/22	AP Correction	80 Postage	1645206	Chk #125049 Voided	162213 - Reserve Acct. Pitney	.77	118.41
06/13/22	AP Correction	81 Legal Postage	1645206	Chk #125049 Voided	162329 - Reserve Acct. Pitney	1.76	120.17
06/13/22	Disbursements	80 Postage	1643206	Chk #125051	162213, Reserve Acct, Inv. Date: 06/07/2022	-.77	119.40
06/13/22	Disbursements	81 Legal Postage	1643206	Chk #125051	162329, Reserve Acct, Inv. Date: 06/10/2022	-1.76	117.64
06/13/22	Point of Sale	60 Commissary	1647207	1198889	Commissary	-59.81	57.83
06/14/22	AP Correction	84 Library	1655206	Chk #125042 Voided	162335 - DOC: 523 Fund Library	1.10	58.93
06/14/22	Disbursements	84 Library	1653154	Chk #125056	162335, DOC: 523 Fun, Inv. Date: 06/10/2022	-1.10	57.83
06/16/22	Mail Room	16 GTL	167200	89765447303964006	West, Renee	20.00	77.83
06/21/22	Point of Sale	60 Commissary	1727207	1200317	Commissary	-50.98	26.85
07/05/22	Mail Room	15 JPAY	186200	145110445	Tucker, Latonya	100.00	126.85
07/05/22	Point of Sale	60 Commissary	1867207	1201956	Commissary	-63.39	63.46
07/08/22	Payroll	20 Payroll Adjustment	1891206		P/R month of 6 2022	17.00	80.46
07/12/22	Point of Sale	60 Commissary	1937207	1204059	Commissary	-47.39	33.07
07/16/22	Mail Room	16 GTL	197200	21211469587491	West, Renee	20.00	53.07
07/19/22	Point of Sale	60 Commissary	2007117	1206289	Commissary	-16.70	36.37
07/25/22	Mail Room	15 JPAY	206200	145725605	Tucker, Latonya	60.00	96.37
07/26/22	Mail Room	15 JPAY	207200	145811855	Johnson, Byron	40.00	136.37
07/26/22	Point of Sale	60 Commissary	2077210	1208125	Commissary	-106.01	30.36
08/02/22	Mail Room	16 GTL	214200	21233643059750	Thompson, Yasha	30.00	60.36
08/02/22	Point of Sale	60 Commissary	2147117	1209658	Commissary	-29.93	30.43
08/09/22	Mail Room	15 JPAY	221200	146346092	Tucker, Latonya	50.00	80.43
08/09/22	Point of Sale	60 Commissary	2217117	1211183	Commissary	-17.10	63.33
08/12/22	Point of Sale	60 Commissary	2247200	1212002	Commissary	-1.02	62.31
08/12/22	Payroll	20 Payroll Adjustment	2241206		P/R month of 7 2022	17.00	79.31
08/12/22	Disbursements	84 Library	2243206	Chk #126357	163234, DOC: 523 Fun, Inv. Date: 07/25/2022	-3.60	75.71
08/16/22	Point of Sale	60 Commissary	2287210	1212807	Commissary	-26.50	49.21
08/17/22	Mail Room	16 GTL	229200	21234270936355	West, Renee	20.00	69.21
08/24/22	Point of Sale	60 Commissary	2367117	1214692	Commissary	-35.97	33.24
08/31/22	Point of Sale	60 Commissary	2437117	1216143	Commissary	-16.00	17.24

Date: 10/18/2022

Time: 11:36am

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Pinckneyville Correctional Center
Trust Fund

View Transactions

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Inmate: R49732 Berry, Michael L.**Housing Unit: PNK-R2-D -60**

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
09/09/22	Payroll	20 Payroll Adjustment	2521206		P/R month of 8 2022	17.00	34.24
09/09/22	Disbursements	84 Library	2523206	Chk #126827	163820, DOC: 523 Fun, Inv. Date: 08/23/2022	-.80	33.44
09/09/22	Disbursements	82 Debts due to State (non-postage)	2523206	Chk #126828	163679, DOC: 523 Fun, Inv. Date: 08/15/2022	-5.00	28.44
09/13/22	Point of Sale	60 Commissary	2567210	1218046	Commissary	-16.44	12.00
09/15/22	Mail Room	15 JPAY	258200	147626445	Johnson, Byron	20.00	32.00
09/16/22	Mail Room	15 JPAY	259200	147671981	Tucker, Latonya	40.00	72.00
09/16/22	Mail Room	16 GTL	259200	21272803420963	West, Renee	20.00	92.00
09/20/22	Point of Sale	60 Commissary	2637200	1219767	Commissary	-38.63	53.37
09/27/22	Point of Sale	60 Commissary	2707200	1221405	Commissary	-31.56	21.81
10/04/22	Point of Sale	60 Commissary	2777207	1222832	Commissary	-16.94	4.87
10/13/22	Payroll	20 Payroll Adjustment	2861206		P/R month of 9 2022	17.00	21.87
10/14/22	Disbursements	80 Postage	2873206	Chk #127582	164175, Reserve Acct, Inv. Date: 09/12/2022	-3.69	18.18
10/14/22	Disbursements	80 Postage	2873206	Chk #127582	164472, Reserve Acct, Inv. Date: 09/20/2022	-.57	17.61
10/18/22	Mail Room	16 GTL	291200	21311177239459	West, Renee	20.00	37.61

Total Inmate Funds:	37.61
Less Funds Held For Orders:	.00
Less Funds Restricted:	.00
Funds Available:	37.61
Total Furloughs:	.00
Total Voluntary Restitutions:	.00