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22-5969

No.: \_\_\_\_\_

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
OCT 26 2022

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

THOMAS DEPTULA — PETITIONER

vs.

STATE OF FLORIDA — 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 in support of this motion is **not** attached hereto.

The appointment was made under the following provision of law: \_\_\_\_\_

, or

a copy of the order of appointment is appended.

  
Thomas Deptula, Petitioner

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OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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

I, THOMAS DEPTULA, am the petitioner in the above-titled 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.

<b>Income Source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
Employment	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Self-Employment	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Income from real property (such as rental income)	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Interest and dividends	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Gifts	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Alimony	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Child Support	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Disability (such as social security, insurance payments)	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Unemployment payments	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Public assistance (such as welfare)	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
Other (specify): _____	\$ <u>  0  </u>	\$ <u>  N/A  </u>	\$ <u>  0  </u>	\$ <u>  N/A  </u>
<b>Total monthly income:</b>	<b>\$ <u>  0  </u></b>	<b>\$ <u>  N/A  </u></b>	<b>\$ <u>  0  </u></b>	<b>\$ <u>  N/A  </u></b>

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

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
<u>N/A</u>			\$ _____
			\$ _____
			\$ _____

3. List your spouse's employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
<u>N/A</u>			\$ _____
			\$ _____
			\$ _____

4. How much cash do you and your spouse have? \$ \_\_\_\_\_ 0.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

<b>Type of Account (e.g., checking or savings)</b>	<b>Amount you have</b>	<b>Amount your spouse has</b>
<u>Savings</u>	\$ <u>312</u>	\$ <u>N/A</u>
<u>Savings</u>	\$ <u>3,200</u>	\$ <u>N/A</u>
	\$ _____	\$ _____

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

<input type="checkbox"/> Home	<input type="checkbox"/> Other real estate
Value <u>N/A</u>	Value <u>N/A</u>
<input type="checkbox"/> Motor Vehicle #1	<input type="checkbox"/> Motor Vehicle #2
Year, make & model <u>  </u>	Year, make & model <u>  </u>
Value <u>N/A</u>	Value <u>N/A</u>
<input type="checkbox"/> Other assets	
Description <u>  </u>	
Value <u>N/A</u>	

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

Name	Amount owed to you	Amount owed to your spouse
_____ N/A _____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
_____ N/A _____	_____	_____
_____	_____	N/A _____
_____	_____	N/A _____

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)	\$ _____ 0 _____	\$ _____ N/A _____
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ _____ 0 _____	\$ _____ N/A _____
Home maintenance (repairs and upkeep)	\$ _____ 0 _____	\$ _____ N/A _____
Food	\$ _____ 0 _____	\$ _____ N/A _____
Clothing	\$ _____ 0 _____	\$ _____ N/A _____
Laundry and dry-cleaning	\$ _____ 0 _____	\$ _____ N/A _____
Medical and dental expenses	\$ _____ 0 _____	\$ _____ N/A _____

Transportation \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_  
(not including motor vehicle payments)

Recreation, entertainment, newspapers, \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_  
magazines, etc.

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

Homeowner's or renter's \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

Life \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

Health \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

Motor Vehicle \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

Other: \_\_\_\_\_ N/A \_\_\_\_\_ \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

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

(specify): \_\_\_\_\_ N/A \_\_\_\_\_ \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

Installment payments

Motor Vehicle \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

Credit card(s) \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

Department store(s) \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

Other: \_\_\_\_\_ N/A \_\_\_\_\_ \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

Alimony, maintenance, and support paid to \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_  
others

Regular expenses for operation of business, \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_  
profession, or farm (attach detailed statement)

Other (specify): \_\_\_\_\_ N/A \_\_\_\_\_ \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

**Total monthly expenses:** \$\_\_\_\_0\_\_\_\_ \$\_\_\_\_ N/A \_\_\_\_

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.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

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.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

12. Provide any other information that will help explain why you cannot pay the costs of this case.

Incarcerated at this time.

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

Executed on: October 26, 2022

/s/ Thomas Deptula  
Thomas Deptula, Petitioner