

No. 22-5975

IN THE
SUPREME COURT OF THE UNITED STATES

Donnie Earl Phillips Jr. ^{#0518336} — PETITIONER
(Your Name)

Criminal District Court 1 VS.
DE TARRANT COUNTY (STATE OF TEXAS) — 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):

United States District Court Northern District of Texas Fort Worth
Division 501 West Tenth St., Room #310 Fort Worth, TX 76102

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

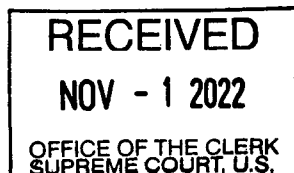
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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.

Donnie Phillips
(Signature)



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

I, Donnie Earl Phillips Jr. #0518336, 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	\$ 0	\$ 0	\$ 0	\$ 0
Self-employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify): <u>N/A</u>	\$ 0	\$ 0	\$ 0	\$ 0
Total monthly income:	\$ 0	\$ 0	\$ 0	\$ 0

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>McLane</u>	<u>7550 Oak Grove Rd.</u>	<u>11/5/19 to</u>	<u>\$ 3,200^{xx} approx</u>
<u></u>	<u>Fort Worth, TX</u>	<u>3/18/21</u>	<u>\$</u>
<u></u>	<u>76140</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>NOT Applicable</u>	<u>NOT Applicable</u>	<u>NOT APPLICABLE</u>	<u>\$ NOT Applicable</u>
<u>" " " " "</u>	<u>" " " " "</u>	<u>" " " " "</u>	<u>\$ " " " " "</u>
<u>" " " " "</u>	<u>" " " " "</u>	<u>" " " " "</u>	<u>\$ " " " " "</u>

4. How much cash do you and your spouse have? \$ Ø
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
<u>NOT Applicable</u>	<u>\$ Ø</u>	<u>\$ Ø</u>
<u>NOT Applicable</u>	<u>\$ Ø</u>	<u>\$ Ø</u>
<u>NOT Applicable</u>	<u>\$ Ø</u>	<u>\$ Ø</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 Ø

☐ Other real estate
Value Ø

☐ Motor Vehicle #1
Year, make & model Ø
Value Ø

☐ Motor Vehicle #2
Year, make & model Ø
Value Ø

☐ Other assets
Description Ø
Value Ø

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

NOT Applicable

\$ Ø

\$ Ø

NOT Applicable

\$ Ø

\$ Ø

NOT Applicable

\$ Ø

\$ Ø

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
R.B	niece	approx 5
P.B	niece	approx 12
T.P	niece	approx 15

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.

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

You

Your spouse

Incarcerated
\$ Ø

\$ NOT Applicable

Are real estate taxes included? ☒ Yes ☐ No

Is property insurance included? ☒ Yes ☐ No

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

\$ " Ø "

\$ " Ø "

Home maintenance (repairs and upkeep)

\$ " Ø "

\$ " Ø "

Food

\$ " Ø "

\$ " Ø "

Clothing

\$ " Ø "

\$ " Ø "

Laundry and dry-cleaning

\$ " Ø "

\$ " Ø "

Medical and dental expenses

\$ " Ø "

\$ " Ø "

	You <i>Incarcerated</i>	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>"Ø"</u>	\$ <u>Not Applicable</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Life	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Health	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Motor Vehicle	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Other: <u>NOT Applicable</u>	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>NOT Applicable</u>	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Installment payments		
Motor Vehicle	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Credit card(s)	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Department store(s)	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Other: <u>NOT Applicable</u>	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Alimony, maintenance, and support paid to others	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Other (specify): <u>NOT Applicable</u>	\$ <u>"Ø"</u>	\$ <u>"Ø"</u>
Total monthly expenses:	\$ <u>"Ø"</u>	\$ <u>"Ø"</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? approx 6,000^{xx}

If yes, state the attorney's name, address, and telephone number:

Dunham and Jones Law firm (Reps. Scotty Jones
Robert Ruykowie
Rob Hayden)

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? NOT Applicable

If yes, state the person's name, address, and telephone number:

NOT Applicable

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

Incarcerated money extorted by Dunham and Jones Lawfirm, lost financial stability

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

Executed on: October 13, 20 12

Donnell Phillips Jr.
(Signature)

TARRANTTX

10/6/2022 12:39 PM

Federal Filing Fee Analysis Report

CID: 0518336

Name: PHILLIPS, DONNIE EARL JR

Month	Year	Receipt Amount	Account Balance
September	2022	\$0.00	\$0.47
August	2022	\$0.00	\$9.82
July	2022	\$0.00	\$80.73
June	2022	\$0.00	\$80.73
May	2022	\$0.00	\$93.51
April	2022	\$0.00	\$199.48
Total:		\$0.00	
6 Months Average:		\$0.00	\$77.46
Initial Partial Filing Fee:		\$15.49	

 69209
Institution Officer Signature/Title

10-06-22
Date