

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

IN THE  
**Supreme Court of the United States**

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CALVIN GARY WALKER,

PETITIONER,

v.

STATE OF TEXAS,

RESPONDENT.

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**MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

Pursuant to Supreme Court Rule 39, the Petitioner, Calvin Gary Walker, through his attorney, Bryan W.L. Garris, requests that this Court grant him leave to proceed *in forma pauperis*. In support of this Motion, the Petitioner would respectfully show:

I.

Petitioner has not previously sought leave to proceed *in forma pauperis* in any other court during prior proceedings related to this action. Petitioner is not able to afford the costs associated with filing his Petition for Writ of Certiorari and requests that this Court grant him leave to file the Petition for Writ of Certiorari without prepayment of fees or costs, and proceed *in forma pauperis*.

I declare under penalty of perjury under the laws of the United States of America, the foregoing is true and correct.

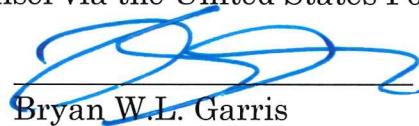
Respectfully submitted,



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Bryan@txdefense.net  
ATTORNEY FOR PETITIONER

**CERTIFICATE OF MAILING**

I hereby certify that, on the 22<sup>nd</sup> day of November, 2022, this pleading was served on the Court and opposing counsel via the United States Postal Service.

  
Bryan W.L. Garris

**AFFIDAVIT ACCOMPANYING MOTION  
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS**

**Affidavit in Support of Motion**

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed: Calvin Walker

**Instructions**

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: 11-15-2022

My issues on appeal are: See Questions presented in Petition for Writ of Certiorari.

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-	\$ N/A	\$-0-	\$ N/A
Self-employment	\$-0-	\$ N/A	\$-0-	\$ N/A
Income from real property (such as rental income)	\$-0-	\$ N/A	\$ -0-	\$ N/A
Interest and dividends	\$-0-	\$ N/A	\$ -0-	\$ N/A

Gifts	\$ -0-	\$ N/A	\$ -0-	\$ N/A
Alimony	\$ -0-	\$ N/A	\$ -0-	\$ N/A
Child support	\$ -0-	\$ N/A	\$ -0-	\$ N/A
Retirement (such as social security, pensions, annuities, insurance)	\$ -0-	\$ N/A	\$ -0-	\$ N/A
Disability (such as social security, insurance payments)	\$ -0-	\$ N/A	\$ 1894	\$ N/A
Unemployment payments	\$ -0-	\$ N/A	\$ -0-	\$ N/A
Public-assistance (such as welfare)	\$ -0-	\$ N/A	\$ -0-	\$ N/A
Other (specify):	\$ -0-	\$ N/A	\$ -0-	\$ N/A
Total monthly income:	\$ -0-	\$ N/A	\$ 1,894	\$ N/A

2. List your 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
WALKERS Electric Company	3710 Roland Rd Brenham, TX 77808	1996-2019	\$ -0-
			\$
			\$

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
N/A	N/A	N/A	\$ N/A

N/A	N/A	N/A	\$ N/A
"	"	"	\$ "

4. How much cash do you and your spouse have? \$ 200<sup>00</sup>

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
Wells Fargo	Checking	\$ 200	\$ N/A
		\$	\$
		\$	\$

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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

Home	Other real estate	Motor vehicle #1
(Value) \$	(Value) \$	(Value) \$ <u>10,000</u>
<u>250,000</u>	<u>225,000</u>	Make and year: <u>2009 Cadillac</u>
		Model: <u>Escalade</u>
		Registration #:

Motor vehicle #2	Other assets	Other assets
(Value) \$ <u>8000<sup>00</sup></u>	(Value) \$	(Value) \$
Make and year: <u>2008 Jeep</u>		
Model: <u>Wrangler</u>		

Registration #:		
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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
N/A	\$ -0-	\$ N/A
N/A	\$ -0-	\$ N/A
N/A	\$ -0-	\$ N/A
N/A	\$ -0-	\$ N/A

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

Name [or, if under 18, initials only]	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, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 1,484.17 Payment agreement for Taxes	\$
Are real estate taxes included? [ ] Yes [ ] No		
Is property insurance included? [ ] Yes [ ] No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 200 <sup>00</sup>	\$
Home maintenance (repairs and upkeep)	\$ 50 <sup>00</sup>	\$
Food	\$ 150 <sup>00</sup>	\$

Clothing	\$ 0	\$
Laundry and dry-cleaning	\$ 0	\$
Medical and dental expenses	\$ 0	\$
Transportation (not including motor vehicle payments)	\$ 200 <sup>00</sup>	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 0	\$
Life:	\$ 0	\$
Health:	\$ 0	\$
Motor vehicle:	\$ 105 <sup>00</sup>	\$
Other:	\$ 0	\$
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ 2,685 M back taxes according	\$
Installment payments	TO IRS (IN DISPUTE)	
Motor Vehicle:	\$ 741,33	\$
Credit card (name):	\$ -0-	\$
Department store (name):	\$ -0-	\$
Other:	\$ -0-	\$
Alimony, maintenance, and support paid to others	\$ -0-	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ -0-	\$
Other (specify): Current outstanding Addit. Liabilities	\$ 10,000 Fine \$ 1,172.656,01	\$ <span style="float: right;">Restitution ordered by Dist. Court.</span>
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 spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit?  Yes  No

If yes, how much? \$ 22,500

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

Please see below!

12. State the city and state of your legal residence.

Beaumont, Tx.

Your daytime phone number: (409) 790-3936

Your age: 62 Your years of schooling: 12

Last four digits of your social-security number: 7424

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

Executed on 11-17, 2022.

Calvin Walker  
CALVIN WALKER, PETITIONER

I am unable to afford the cost of fees associated with this Petition. My personal monthly expenses exceed my monthly income. Additionally, I have massive outstanding liabilities in the form of restitution and fines to the I.R.S. (in dispute), I cannot afford any additional cost or expenses.