

22-6184

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

NOV 04 2022

OFFICE OF THE CLERK
SUPREME COURT

Jowarski Russell Nedd — PETITIONER
(Your Name)

VS.

Harold W. Clarke — 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 for the Eastern District of Virginia

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.

Jowarski R. Nedd

(Signature)

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

I, Towarski R. Nedd, 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):	\$ -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
N/A			\$
N/A			\$
N/A			\$

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			\$

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

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

Motor Vehicle #2

Year, make & model N/A

Value N/A

Value N/A

Other assets

Description N/A

Value N/A

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	\$ _____	\$ _____
N/A	\$ _____	\$ _____
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-	\$ -0-
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)	\$ -0-	\$ -0-
Home maintenance (repairs and upkeep)	\$ -0-	\$ -0-
Food	\$ -0-	\$ -0-
Clothing	\$ -0-	\$ -0-
Laundry and dry-cleaning	\$ -0-	\$ -0-
Medical and dental expenses	\$ -0-	\$ -0-

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ -0-	\$ -0-
Recreation, entertainment, newspapers, magazines, etc.	\$ -0-	\$ -0-
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ -0-	\$ -0-
Life	\$ -0-	\$ -0-
Health	\$ -0-	\$ -0-
Motor Vehicle	\$ -0-	\$ -0-
Other: _____	\$ -0-	\$ -0-
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ -0-	\$ -0-
Installment payments		
Motor Vehicle	\$ -0-	\$ -0-
Credit card(s)	\$ -0-	\$ -0-
Department store(s)	\$ -0-	\$ -0-
Other: _____	\$ -0-	\$ -0-
Alimony, maintenance, and support paid to others	\$ -0-	\$ -0-
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ -0-	\$ -0-
Other (specify): _____	\$ -0-	\$ -0-
Total monthly expenses:	\$ -0-	\$ -0-

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 am incarcerated

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

Executed on: November 3, 2022

Jowarski R. Nedd

(Signature)



Virginia Department of Corrections

Trust Certificate of Account History

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Facility: RIVER NORTH CORRECTIONAL CENTER FG

Inmate: 1424902 Nedd, Jowarski Russell Jr.

I hereby certify as follows with respect to this inmate's general (trust) account:

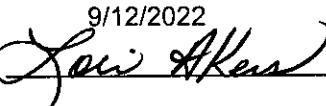
From Date: 3/1/2022

To Date: 8/31/2022

Beginning Balance on 03/01/2022	\$32.84
Total Deposits	\$1,038.74
Total Withdrawals	\$969.11
Ending Balance on 08/31/2022	\$102.47

Month Dates	Ending Balance of the Month
2022-03	\$4.28
2022-04	\$66.13
2022-05	\$3.07
2022-06	\$1.41
2022-07	\$0.00
2022-08	\$102.47
Average Monthly Balance	\$29.56
Average Monthly Deposits:	\$173.12
Average Monthly Withdrawals	\$161.52

Date: 9/12/2022

Signature: 

Name: Akers, Lori

Title: Fiscal Tech / Inmate Trust
Authorized Institutional Official



Virginia Department of Corrections

Trust Monthly Statement

Facility: RIVER NORTH CORRECTIONAL CENTER FG

Fiscal Period: March 2022 - Closed 04/01/2022

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From: 3/1/2022 To: 4/1/2022

Nedd, Jowarski Russell (1424902)

River North Correctional Center [B-2-209-B]

Beginning Payables:	SPEND (511)	HOLD (512)	SAVINGS (513)	COMMISSARY (514)	UNCLAIMED (515)	RESERVE (516)	COURT (519)	CHILD SUPPORT (520)
	32.84	0.00	0.00	0.00	0.00	0.00	6.75	0.00
Beginning Receivables:	LOANS (211)		MEDCO LOANS (212)					
		0.00	0.00					

Post Date	Batch Number	Transaction Description	TC REF	Amount	Received From / Payee Name
03/04/2022	RNCC20220304WDHRS01	Commissary #1 - Spend	73-511	14.72	- Keefe
03/07/2022	RNCC20220307WDHRS01	Commissary #1 - Spend	73-511	4.49	- Keefe
03/08/2022	RNCC20220308DPC_A01	DP - EDI Jpay	19-511	50.00	+ WOODS, SANDRA
03/09/2022	RNCC20220309DPC_A01	DP - EDI Jpay	19-511	25.00	+ LEWIS, LATASHA
03/09/2022	RNCC20220308WDK_N06	Money Orders	41-511	49.25	- The Mag Depot
03/09/2022	RNCC20220309WDK_N01	Money Order Fee	141-511	0.99	- MO Vendor
03/11/2022	RNCC20220311WDK_N01	Commissary #1 - Spend	73-511	38.16	- Keefe
03/11/2022	IPRNCCC_A0207202203062022	Payroll - Regular	90-511	81.00	+
03/11/2022	RNCC20220311WDC_A03	Court Withholding	180-511	4.05	-
03/11/2022	RNCC20220311WDC_A03	Court Withholding	180-519	4.05	+
03/16/2022	RNCC20220316WDLHA05	GTL PHONE	43-511	30.00	-
03/17/2022	RNCC20220317DPK_N01	Payroll - Regular	90-511	27.00	+ Back pay
03/17/2022	RNCC20220317WDK_N01	Court Withholding	180-511	1.35	-
03/17/2022	RNCC20220317WDK_N01	Court Withholding	180-519	1.35	+
03/18/2022	RNCC20220318WDLHA01	Commissary #1 - Spend	73-511	39.38	- Keefe
03/22/2022	RNCC20220322WDLHA03	Copies	89-511	0.10	-
03/25/2022	RNCC20220325WDLHA02	Commissary #1 - Spend	73-511	29.07	- Keefe

Ending Payables:	SPEND (511)	HOLD (512)	SAVINGS (513)	COMMISSARY (514)	UNCLAIMED (515)	RESERVE (516)	COURT (519)	CHILD SUPPORT (520)
	4.28	0.00	0.00	0.00	0.00	0.00	12.15	0.00
Ending Receivables:	LOANS (211)		MEDCO LOANS (212)					
		0.00	0.00					



Virginia Department of Corrections

Trust Monthly Statement

Facility: RIVER NORTH CORRECTIONAL CENTER FG

Fiscal Period: April 2022 - Closed 05/01/2022

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Nedd, Jowarski Russell (1424902)

River North Correctional Center [B-2-209-B]

Beginning Payables:	SPEND (511)	HOLD (512)	SAVINGS (513)	COMMISSARY (514)	UNCLAIMED (515)	RESERVE (516)	COURT (519)	CHILD SUPPORT (520)
	4.28	0.00	0.00	0.00	0.00	0.00	12.15	0.00
Beginning Receivables:	LOANS (211)		MEDCO LOANS (212)					
	0.00		0.00					

Post Date	Batch Number	Transaction Description	TC REF	Amount	Received From / Payee Name
04/08/2022	IPRNCCC_A0307202204032022	Payroll - Regular	90-511	110.70	+
04/08/2022	RNCC20220408WDC_A03	Court Withholding	180-511	5.54	-
04/08/2022	RNCC20220408WDC_A03	Court Withholding	180-519	5.54	+
04/13/2022	RNCC20220413DPC_A01	DP - EDI Jpay	19-511	50.00	+
04/15/2022	RNCC20220415WDLHA01	Commissary #1 - Spend	73-511	40.31	-
04/18/2022	RNCC20220418WDLHA02	GTL PHONE	43-511	40.00	-
04/22/2022	RNCC20220422WDLHA01	Commissary #1 - Spend	73-511	52.10	-
04/29/2022	RNCC20220429DPC_A01	DP - EDI Jpay	19-511	60.00	+
04/29/2022	RNCC20220429WDLHA05	Commissary #1 - Spend	73-511	20.90	-
					WOODS, SANDRA
					Keefe
					WOODS, SANDRA
					Keefe

Ending Payables:	SPEND (511)	HOLD (512)	SAVINGS (513)	COMMISSARY (514)	UNCLAIMED (515)	RESERVE (516)	COURT (519)	CHILD SUPPORT (520)
	66.13	0.00	0.00	0.00	0.00	0.00	17.69	0.00
Ending Receivables:	LOANS (211)		MEDCO LOANS (212)					
	0.00		0.00					



Virginia Department of Corrections

Trust Monthly Statement

Facility: RIVER NORTH CORRECTIONAL CENTER FG

Fiscal Period: May 2022 - Closed 06/01/2022

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From: 5/1/2022 To: 6/1/2022

Nedd, Jowarski Russell (1424902)

River North Correctional Center [B-2-209-B]

Beginning Payables:	SPEND (511)	HOLD (512)	SAVINGS (513)	COMMISSARY (514)	UNCLAIMED (515)	RESERVE (516)	COURT (519)	CHILD SUPPORT (520)
	66.13	0.00	0.00	0.00	0.00	0.00	17.69	0.00
Beginning Receivables:	LOANS (211)		MEDCO LOANS (212)					
		0.00		0.00				

Post Date	Batch Number	Transaction Description	TC REF	Amount	Received From / Payee Name
05/03/2022	RNCC20220503WDLHA08	Legal Photocopies	85-511	0.60	-
05/04/2022	RNCC20220504WDLHA04	Money Orders	41-511	34.53	- Edward R Hamilton Bookseller Co
05/04/2022	RNCC20220504WDLHA05	Money Order Fee	141-511	0.99	- MO Vendor
05/06/2022	RNCC20220506WDLHA01	Commissary #1 - Spend	73-511	14.30	- Keefe
05/06/2022	RNCC20220506WDLHA05	Postage	75-511	14.95	-
05/06/2022	IPRNCCC_A0404202205012022	Payroll - Regular	90-511	117.00	+
05/06/2022	RNCC20220506WDC_A03	Court Withholding	180-511	5.85	-
05/06/2022	RNCC20220506WDC_A03	Court Withholding	180-519	5.85	+
05/11/2022	RNCC20220511WDC_A02	JPay Media Purchase	958-511	10.00	-
05/13/2022	RNCC20220513WDLHA01	Commissary #1 - Spend	73-511	79.72	- Keefe
05/13/2022	RNCC20220513WDLHA04	Legal Photocopies	85-511	4.80	-
05/13/2022	RNCC20220513WDLHA05	Legal Mail Postage	84-511	1.96	-
05/13/2022	RNCC20220513WDLHA05	Legal Mail Postage	84-511	1.96	-
05/20/2022	RNCC20220520WDLHA01	Commissary #1 - Spend	73-511	10.40	- Keefe

Ending Payables:	SPEND (511)	HOLD (512)	SAVINGS (513)	COMMISSARY (514)	UNCLAIMED (515)	RESERVE (516)	COURT (519)	CHILD SUPPORT (520)
	3.07	0.00	0.00	0.00	0.00	0.00	23.54	0.00
Ending Receivables:	LOANS (211)		MEDCO LOANS (212)					
		0.00		0.00				



Virginia Department of Corrections

Trust Monthly Statement

Facility: RIVER NORTH CORRECTIONAL CENTER FG

Fiscal Period: June 2022 - Closed 07/01/2022

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Nedd, Jowarski Russell (1424902)

River North Correctional Center [B-2-209-B]

From: 6/1/2022 To: 7/1/2022

Beginning Payables:	SPEND (511)	HOLD (512)	SAVINGS (513)	COMMISSARY (514)	UNCLAIMED (515)	RESERVE (516)	COURT (519)	CHILD SUPPORT (520)
	3.07	0.00	0.00	0.00	0.00	0.00	23.54	0.00
Beginning Receivables:	LOANS (211)		MEDCO LOANS (212)					
	0.00		0.00					

Post Date	Batch Number	Transaction Description	TC REF	Amount	Received From / Payee Name
06/10/2022	IPRNCCC_A0502202206052022	Payroll - Regular	90-511	108.00	+
06/10/2022	RNCC20220610WDC_A03	Court Withholding	180-511	5.40	-
06/10/2022	RNCC20220610WDC_A03	Court Withholding	180-519	5.40	+
06/14/2022	RNCC20220613WDC_A02	JPay Media Purchase	958-511	30.00	-
06/16/2022	RNCC20220616WDLHA11	GTL PHONE	43-511	40.00	-
06/17/2022	RNCC20220617WDLHA01	Commissary #1 - Spend	73-511	35.23	- Keefe
06/22/2022	RNCC20220622DPC_A01	DP - EDI Jpay	19-511	50.00	+
06/23/2022	RNCC20220623WDLHA06	Commissary #1 - Spend	73-511	48.02	- Keefe
06/24/2022	RNCC20220624DPLHA09	Commissary #1 - Spend Refund	173-511	6.69	+
06/30/2022	RNCC20220630WDLHA01	Commissary #1 - Spend	73-511	7.70	- Keefe

Ending Payables:	SPEND (511)	HOLD (512)	SAVINGS (513)	COMMISSARY (514)	UNCLAIMED (515)	RESERVE (516)	COURT (519)	CHILD SUPPORT (520)
	1.41	0.00	0.00	0.00	0.00	0.00	28.94	0.00
Ending Receivables:	LOANS (211)		MEDCO LOANS (212)					
	0.00		0.00					



Virginia Department of Corrections

Trust Monthly Statement

Facility: RIVER NORTH CORRECTIONAL CENTER FG

Fiscal Period: July 2022 - Closed 08/01/2022

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Nedd, Jowarski Russell (1424902)

River North Correctional Center [B-2-209-B]

Beginning Payables:	SPEND (511) 1.41	HOLD (512) 0.00	SAVINGS (513) 0.00	COMMISSARY (514) 0.00	UNCLAIMED (515) 0.00	RESERVE (516) 0.00	COURT (519) 28.94	CHILD SUPPORT (520) 0.00
Beginning Receivables:	LOANS (211) 0.00		MEDCO LOANS (212) 0.00					

Post Date	Batch Number	Transaction Description	TC REF	Amount	Received From / Payee Name
07/08/2022	RNCC20220708WDLHA03	Commissary #1 - Spend	73-511	1.33	- Keefe
07/08/2022	IPRNCCC_A0606202207032022	Payroll - Regular	90-511	87.75	+
07/08/2022	RNCC20220708WDC_A03	Court Withholding	180-511	4.39	-
07/08/2022	RNCC20220708WDC_A03	Court Withholding	180-519	4.39	+
07/14/2022	RNCC20220714DPC_A01	DP - EDI Jpay	19-511	60.00	+ WOODS, SANDRA
07/15/2022	RNCC20220715WDLHA01	Commissary #1 - Spend	73-511	107.87	- Keefe
07/22/2022	RNCC20220722WDLHA01	Commissary #1 - Spend	73-511	20.10	- Keefe
07/29/2022	RNCC20220729WDLHA01	Commissary #1 - Spend	73-511	15.47	- Keefe

Ending Payables:	SPEND (511) 0.00	HOLD (512) 0.00	SAVINGS (513) 0.00	COMMISSARY (514) 0.00	UNCLAIMED (515) 0.00	RESERVE (516) 0.00	COURT (519) 33.33	CHILD SUPPORT (520) 0.00
Ending Receivables:	LOANS (211) 0.00		MEDCO LOANS (212) 0.00					



Virginia Department of Corrections

Trust Monthly Statement

Facility: RIVER NORTH CORRECTIONAL CENTER FG

Fiscal Period: August 2022 - Closed 09/01/2022

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Nedd, Jowarski Russell (1424902)

River North Correctional Center [B-2-209-B]

Beginning Payables:	SPEND (511)	HOLD (512)	SAVINGS (513)	COMMISSARY (514)	UNCLAIMED (515)	RESERVE (516)	COURT (519)	CHILD SUPPORT (520)
	0.00	0.00	0.00	0.00	0.00	0.00	33.33	0.00
Beginning Receivables:	LOANS (211)		MEDCO LOANS (212)					
	0.00		0.00					

Post Date	Batch Number	Transaction Description	TC REF	Amount	Received From / Payee Name	
08/01/2022	RNCC20220801DPC_A01	DP - EDI Jpay	19-511	35.00	+	FELDER, WENDY
08/05/2022	RNCC20220805WDLHA01	Commissary #1 - Spend	73-511	12.35	-	Keefe
08/05/2022	IPRNCCC_A0704202207312022	Payroll - Regular	90-511	128.25	+	
08/05/2022	RNCC20220805WDC_A03	Court Withholding	180-511	6.41	-	
08/05/2022	RNCC20220805WDC_A03	Court Withholding	180-519	6.41	+	
08/12/2022	RNCC20220812DPLHA02	Commissary #1 - Spend Refund	173-511	12.35	+	Keefe
08/24/2022	RNCC20220824WDC_A02	JPay Media Purchase	958-511	35.00	-	
08/30/2022	RNCC20220830DPC_A01	DP - EDI Jpay	19-511	30.00	+	WOODS, SANDRA
08/30/2022	RNCC20220830WDLHA02	Commissary #1 - Spend	73-511	47.21	-	Keefe
08/30/2022	RNCC20220830WDLHA04	Legal Mail Postage	84-511	2.16	-	

Ending Payables:	SPEND (511)	HOLD (512)	SAVINGS (513)	COMMISSARY (514)	UNCLAIMED (515)	RESERVE (516)	COURT (519)	CHILD SUPPORT (520)
	102.47	0.00	0.00	0.00	0.00	0.00	39.74	0.00
Ending Receivables:	LOANS (211)		MEDCO LOANS (212)					
	0.00		0.00					