

No. 22-6330

ORIGINAL

IN
SUPREME COURT OF THE UNITED STATES

FILED
DEC 12 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

BILLY RAY JACKSON----- PETITIONER

VS.

BRYAN DANIEL, in his individual capacity; JULIAN ALVAREZ, III; in his individual capacity; AARON DEMERSON, in his individual capacity- -----
-----RESPONDENT(S)

MOTION FOR LEAVETO PROCEED IN FORMA PAUPERIS

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of cost and to proceed in forma pauperis

Petitioner has previously been granted leave to proceed in forma pauperis in the following court(s):

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

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

Billy Ray Jackson
(Signature)

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

I, BILLY RAY JACKSON, 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, semi-annually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source expected	Average monthly amount during The past 12 months		Amount next month	
	You	Spouse	You	Spouse
Employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)				
Disability (such as social security, insurance payments)	\$ <u>844.00</u>	\$ <u>1,800.00</u>	\$ <u>844.00</u>	\$ <u>1,800.00</u>

Unemployment payments \$ 0 \$ 0 \$ 0 \$ 0

Public-assistance
(such as welfare)

Other (specify) \$ 0 \$ 0 \$ 0 \$ 0

Total monthly income: \$ 844.00 \$ 1,800.00 \$ 844.00 \$ 1,800.00

2. List your employment history for the past two years, most recent first.

Employer	Address	Dates of Employment	Gross monthly pay
-----------------	----------------	----------------------------	--------------------------

<u>None</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ 0</u>
-------------	------------	------------	-------------

3. List your spouse's employment history for the past two years, most recent employer first.

Employer	Address	Dates of Employment	Gross monthly pay
-----------------	----------------	----------------------------	--------------------------

<u>None</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ 0</u>
-------------	------------	------------	-------------

4. How much cash do you and your spouse have? \$270.00

Below, state any money you or your spouses 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>Checking</u>	\$ <u>10.00</u>	\$ <u>50.00</u>
-----------------	-----------------	-----------------

<u>Savings</u>	\$ <u>10.00</u>	\$ <u>200.00</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 \$580,000.00

Other real estate none
Value \$ 0

Motor Vehicle #1
Year, make & model
2011/LEXUS/RX 450h
Value \$ -15,200.00

Motor Vehicle #2
Year, make & model
2009/JEEP/Grand Cherokee
Value \$ 2,000.00

Other assets
Description None
Value \$ 0

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

Person owing you or to your spouse	Amount owed to you	Amount owed
Your spouse money	\$ <u>0</u>	\$ <u>0</u>

7. State the persons who rely on you or your spouse for support. For minor children, list Initials instead of names (e.g. "JS." instead of "John Smith").

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>0</u>	\$ <u>0</u>
Are real estate taxes included? <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> <input type="checkbox"/>		
Is property insurance included? <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> <input type="checkbox"/>		
Utilities (electricity, heating fuel Water, sewer, and telephone)	<u>\$316.00</u>	<u>\$ 76.00</u>
Home maintenance (repairs and upkeep)	<u>\$ 100.00</u>	<u>\$ 100.00</u>
Food	<u>\$ 100.00</u>	<u>\$ 300.00</u>
Clothing	<u>\$ 50.00</u>	<u>\$ 100.00</u>
Laundry and dry-cleaning	<u>\$ 50.00</u>	<u>\$ 50.00</u>
Legal Supplies (such as Printer ink and Typing paper, Postage for mailing court Documents, etc.)	<u>\$ 100.00</u>	<u>\$ 0</u>
Medical and dental expenses	<u>\$ 100.00</u>	<u>\$ 300.00</u>

You · Your spouse

Transportation (not including motor vehicle payments) \$ 40.00 \$ 80.00
Recreation, entertainment, newspapers, magazines, etc.

Insurance (not deducted from wages or included in mortgage payments) \$130.00 \$ 50.00

Homeowner's or renter's	\$ <u>185.00</u>	\$ <u>0</u>
Life	\$ <u>0</u>	\$ <u>126.00</u>
Health	\$ <u>0</u>	\$ <u>160.00</u>
Motor Vehicle	\$ <u>187.00</u>	\$ <u>0</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>

Taxes (not deducted from wages or included in mortgage payments)
(specify): Property Taxes \$ 0 \$ 400.00

Installment payments

Motor Vehicle	\$ <u>0</u>	\$ <u>475.00</u>
Credit card(s)	\$ <u>105.00</u>	\$ <u>0</u>
Department stores(s)	\$ <u>0</u>	\$ <u>0</u>
Other: <u>Loans</u>	\$ <u>380.00</u>	\$ <u>50.00</u>

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): N/A \$ 0 \$ 0

Total monthly expenses: \$ 1,658.00 \$ 2,267.00

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

X No

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?

X No

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.

X No

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

The Petitioner BILLY RAY JACKSON is an indigent at risk-worker with serious underlying health conditions and has been unemployed since the Pandemic since on or about March 18, 2020

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

Executed on: December 11, 2022

Billy Ray Jackson
(Signature)