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No. 22-6512

Legal Mail  
Provided to Florida State Prison on  
for mailing by

IN THE  
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.

FILED

OCT 18 2022

OFFICE OF THE CLERK

Frank L. Perry — PETITIONER  
(Your Name)

VS.

Ricky D. Dixon, ETC. — RESPONDENT(S)  
Secty Dept. of Corrections - Florida

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 North Florida, Eleventh Circuit Court of Appeals Atlanta Georgia, Eighth Judicial Circuit Court and First District of Appellate Court

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.

Frank L. Perry

(Signature)

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

I, Frank L. Perry, 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	\$ <u>N/A - 0</u>	\$ <u>N/A - 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)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
<b>Total monthly income:</b>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

	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: <u>N/A</u>	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ 0	\$ 0
Installment payments		
Motor Vehicle	\$ 0	\$ 0
Credit card(s)	\$ 0	\$ 0
Department store(s)	\$ 0	\$ 0
Other: <u>N/A</u>	\$ 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): <u>N/A</u>	\$ 0	\$ 0
<b>Total monthly expenses:</b>	<b>\$ 0</b>	<b>\$ 0</b>

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	\$ 0
N/A	N/A	N/A	\$ 0
N/A	N/A	N/A	\$ 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	\$ 0
N/A	N/A	N/A	\$ 0
N/A	N/A	N/A	\$ 0

4. How much cash do you and your spouse have? \$ 0

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
N/A	\$ 0	\$ 0
	\$ 0	\$ 0
	\$ 0	\$ 0

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  
Value \_\_\_\_\_

Motor Vehicle #2  
Year, make & model N/A  
Value \_\_\_\_\_

Other assets  
Description None  
Value \_\_\_\_\_

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
<u>NIA</u>	\$ <u>0</u>	\$ <u>0</u>
<u>NIA</u>	\$ <u>0</u>	\$ <u>0</u>
<u>NIA</u>	\$ <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. "J.S." instead of "John Smith").

Name	Relationship	Age
<u>NIA</u>		
<u>NIA</u>		
<u>NIA</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? <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)	\$ <u>0</u>	\$ <u>0</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>0</u>
Food	\$ <u>0</u>	\$ <u>0</u>
Clothing	\$ <u>0</u>	\$ <u>0</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>0</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>0</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? N/A

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? N/A

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.

None

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

Executed on: Oct. 18, 2022

Frank L. Penny  
(Signature)

FLORIDA DEPARTMENT OF CORRECTIONS  
 TRUST FUND ACCOUNT STATEMENT  
 FACILITY: 205 - FLORIDA STATE PRISON  
 FOR: 03/01/2022 - 09/15/2022

ACCT NAME: PERRY, FRANK L.  
 BED: 01142S  
 PO BOX:

ACCT #: 127041  
 TYPE: INMATE TRUST

POSTED DATE	NBR	TYPE	REFERENCE NUMBER	FAC	REMITTER/PAYEE	AMOUNT	BALANCE
						+/-	
03/07/22	261	JPAY DEPOSIT	140887016	000	PERRY, SHENITA D.	+\$10.00	\$4,398.73
03/14/22	258	JPAY DEPOSIT	141145992	000	PERRY, SHENITA D.	+\$10.00	\$4,408.73
03/21/22	231	JPAY DEPOSIT	141393798	000	PERRY, SHENITA D.	+\$10.00	\$4,418.73
03/28/22	233	JPAY DEPOSIT	141632606	000	PERRY, SHENITA D.	+\$10.00	\$4,428.73
04/04/22	325	JPAY DEPOSIT	141932480	000	PERRY, SHENITA D.	+\$10.00	\$4,438.73
04/11/22	234	JPAY DEPOSIT	142180366	000	PERRY, SHENITA D.	+\$10.00	\$4,448.73
04/18/22	195	JPAY DEPOSIT	142414146	000	PERRY, SHENITA D.	+\$10.00	\$4,458.73
04/25/22	224	JPAY DEPOSIT	142636886	000	PERRY, SHENITA D.	+\$10.00	\$4,468.73
05/02/22	207	JPAY DEPOSIT	142897991	000	PERRY, SHENITA D.	+\$10.00	\$4,478.73
05/09/22	347	JPAY DEPOSIT	143160236	000	PERRY, SHENITA D.	+\$10.00	\$4,488.73
05/16/22	195	JPAY DEPOSIT	143399799	000	PERRY, SHENITA D.	+\$10.00	\$4,498.73
05/23/22	205	JPAY DEPOSIT	143623655	000	PERRY, SHENITA D.	+\$10.00	\$4,508.73
05/30/22	180	JPAY DEPOSIT	143847881	000	PERRY, SHENITA D.	+\$10.00	\$4,518.73
06/06/22	230	JPAY DEPOSIT	144131695	000	PERRY, SHENITA D.	+\$10.00	\$4,528.73
06/13/22	263	JPAY DEPOSIT	144370894	000	PERRY, SHENITA D.	+\$10.00	\$4,538.73
06/18/22	158	JPAY DEPOSIT	144533642	000	THORNTON, DAVID	+\$25.00	\$4,563.73
06/20/22	252	JPAY DEPOSIT	144609401	000	PERRY, SHENITA D.	+\$10.00	\$4,573.73
06/27/22	212	JPAY DEPOSIT	144830266	000	PERRY, SHENITA D.	+\$60.00	\$4,583.73
06/28/22	302	MO (JPAY)	144866920	000	ZACKERY, LILLIE	+\$20.00	\$4,643.73
06/28/22	302	MO (JPAY)	144867086	000	THORNTON, JIMMIE	+\$20.00	\$4,663.73
06/28/22	303	PROCESSING FEE	062822302448	000		-\$0.50	\$4,663.23
06/28/22	303	PROCESSING FEE	062822302595	000		-\$0.50	\$4,662.73
07/04/22	177	JPAY DEPOSIT	145098724	000	PERRY, SHENITA D.	+\$10.00	\$4,672.73
07/11/22	237	JPAY DEPOSIT	145345742	000	PERRY, SHENITA D.	+\$10.00	\$4,682.73
07/18/22	337	JPAY DEPOSIT	145579314	000	PERRY, SHENITA D.	+\$10.00	\$4,692.73
07/25/22	235	JPAY DEPOSIT	145804334	000	PERRY, SHENITA D.	+\$10.00	\$4,702.73
08/01/22	246	JPAY DEPOSIT	146049433	000	PERRY, SHENITA D.	+\$10.00	\$4,712.73
08/08/22	235	JPAY DEPOSIT	146325568	000	PERRY, SHENITA D.	+\$10.00	\$4,722.73
08/15/22	363	JPAY DEPOSIT	146565752	000	PERRY, SHENITA D.	+\$10.00	\$4,732.73
08/22/22	227	JPAY DEPOSIT	146804723	000	PERRY, SHENITA D.	+\$10.00	\$4,742.73
08/29/22	210	JPAY DEPOSIT	147031155	000	PERRY, SHENITA D.	+\$10.00	\$4,752.73
09/05/22	189	JPAY DEPOSIT	147308103	000	PERRY, SHENITA D.	+\$10.00	\$4,762.73
09/12/22	242	JPAY DEPOSIT	147554195	000	PERRY, SHENITA D.	+\$10.00	\$4,772.73

BEGINNING BALANCE 03/01/22 \$4,388.73  
 ENDING BALANCE 09/15/22 \$4,772.73