

22-6611

ORIGINAL

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

FILED

OCT 26 2022

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Joseph Counts — PETITIONER  
(Your Name)

VS.

United States — 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):

In Southern District of Illinois I submitted form 4 so  
I could obtain records and/or copies thereof

☐ 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.

RECEIVED

DEC 16 2022

(Signature) OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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JAN 20 2023

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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

I, Joseph Counts, 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>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
Self-employment	\$ <u>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
Income from real property (such as rental income)	\$ <u>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
Interest and dividends	\$ <u>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
Gifts	\$ <u>40<sup>00</sup></u>	\$ <u>          </u>	\$ <u>100<sup>00</sup></u>	\$ <u>          </u>
Alimony	\$ <u>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
Child Support	\$ <u>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
Disability (such as social security, insurance payments)	\$ <u>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
Unemployment payments	\$ <u>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
Public-assistance (such as welfare)	\$ <u>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
Other (specify): <u>          </u>	\$ <u>—</u>	\$ <u>          </u>	\$ <u>          </u>	\$ <u>          </u>
<b>Total monthly income:</b>	\$ <u>40<sup>00</sup></u>	\$ <u>          </u>	\$ <u>100<sup>00</sup></u>	\$ <u>          </u>

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
Self	14195 W. Sunrise Lake	Dec. 2013	\$ varies
			\$
			\$

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			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 800<sup>00</sup>, but need to sell tools to pay 1100<sup>tax</sup>  
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
Checking personal	\$ < \$20	\$
Checking business	\$ < \$20	\$

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

☒ Home  
Value  $\frac{1}{2}$  \$ 35-45k

☐ Other real estate  
Value \_\_\_\_\_

☒ Motor Vehicle #1  
Year, make & model 2002 Ford Excursion  
Value  $\approx$  \$5,000

☐ Motor Vehicle #2  
Year, make & model \_\_\_\_\_  
Value \_\_\_\_\_

☒ Other assets  
Description Trailer and tools  
Value \$7-8k

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
—	\$ —	\$ —
—	\$ —	\$ —
—	\$ —	\$ —

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
AC	Son	14
GC	Son	12
—	—	—

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)	\$ —	\$ —
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)	\$ —	\$ —
Home maintenance (repairs and upkeep)	\$ —	\$ —
Food	\$ —	\$ —
Clothing	\$ —	\$ —
Laundry and dry-cleaning	\$ —	\$ —
Medical and dental expenses	\$ —	\$ —

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>—</u>	\$ <u>          </u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>—</u>	\$ <u>          </u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>—</u>	\$ <u>          </u>
Life	\$ <u>—</u>	\$ <u>          </u>
Health	\$ <u>—</u>	\$ <u>          </u>
Motor Vehicle	\$ <u>—</u>	\$ <u>          </u>
Other: <u>                                </u>	\$ <u>—</u>	\$ <u>          </u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>real estate / personal property</u>	\$ <u>100</u>	\$ <u>          </u>
Installment payments		
Motor Vehicle	\$ <u>—</u>	\$ <u>          </u>
Credit card(s)	\$ <u>—</u>	\$ <u>          </u>
Department store(s)	\$ <u>—</u>	\$ <u>          </u>
Other: <u>                                </u>	\$ <u>—</u>	\$ <u>          </u>
Alimony, maintenance, and support paid to others	\$ <u>500</u>	\$ <u>          </u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>          </u>	\$ <u>          </u>
Other (specify): <u>                                </u>	\$ <u>          </u>	\$ <u>          </u>
<b>Total monthly expenses:</b>	\$ <u>600</u>	\$ <u>          </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? \$15,000 - indirectly see petition questions

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

Jeffrey Goldfarb  
230 S. Bemiston Ave #1200  
Clayton, MO 63105  
314-229-1028

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've been detained pretrial now for over 18 months, and there is a lot of misconception and misperception.

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

Executed on: November 22nd, 2022

OFFICIAL SEAL  
BONNIE MAY  
Notary Public, State of Illinois  
My Commission Expires 05-05-2024

(Signature)

Bonnie May 11/22/22