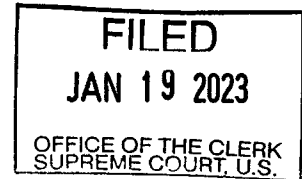


ORIGINAL

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



IN THE

SUPREME COURT OF THE UNITED STATES

JAMES A. CHANEY

— PETITIONER

(Your Name)

VS.

UNITED STATES OF AMERICA

— 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 Kentucky

United States Sixth Circuit Appellate Court

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

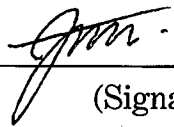
☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

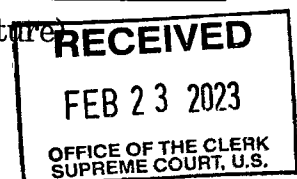
☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: \_\_\_\_\_

\_\_\_\_\_, or

☐ a copy of the order of appointment is appended.

  
(Signature)



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

I, James A. Chaney, 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>25.12</u>	\$ <u>N/A Divorced</u>	\$ <u>25.12</u>	\$ _____
Self-employment	\$ <u>00</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Interest and dividends	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Gifts	\$ <u>150.00</u>	\$ _____	\$ <u>unknown</u>	\$ _____
Alimony	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Child Support	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Unemployment payments	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Public-assistance (such as welfare)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Other (specify): _____	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
<b>Total monthly income:</b>	\$ <u>25.12</u>	\$ _____	\$ <u>25.12</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
<u>B.O.P.</u>	<u>Ashland, KY</u>	<u>01/02/2019</u>	<u>\$ 25.12</u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>\$</u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>\$</u>

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
<u>DIVORCED</u>	<u>                    </u>	<u>                    </u>	<u>\$</u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>\$</u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>\$</u>

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
<u>                                    </u>	<u>\$</u>	<u>\$</u>
<u>                                    </u>	<u>\$</u>	<u>\$</u>
<u>                                    </u>	<u>\$</u>	<u>\$</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 N/A

☐ Other real estate  
Value                     

☐ Motor Vehicle #1  
Year, make & model N/A  
Value                     

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

☐ Other assets  
Description 0  
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>NONE</u>	\$ <u>                    </u>	\$ <u>                    </u>
<u>                    </u>	\$ <u>                    </u>	\$ <u>                    </u>
<u>                    </u>	\$ <u>                    </u>	\$ <u>                    </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>L.A.C.</u>	<u>Daughter</u>	<u>18</u>
<u>R.G.C.</u>	<u>Daughter</u>	<u>16</u>
<u>                    </u>	<u>                    </u>	<u>                    </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>NO</u>	\$ <u>N/A</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>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>N/A</u>
Food	\$ <u>0</u>	\$ <u>N/A</u>
Clothing	\$ <u>0</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>N/A</u>

	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>0</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>25.12</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>0</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
<b>Total monthly expenses:</b>	\$ <u>0</u>	\$ <u>N/A</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? \_\_\_\_\_

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? \_\_\_\_\_

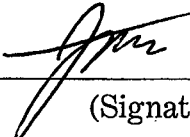
If yes, state the person's name, address, and telephone number:

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

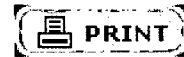
**I have been incarcerated since April 18, 2016 and receive nominal gifts from family and friends.**

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

Executed on: February 13, 2023

  
\_\_\_\_\_  
(Signature)

# Inmate Statement



Inmate Reg #:	17746032	Current Institution:	Ashland FCI
Inmate Name:	CHANNEY, JAMES	Housing Unit:	ASH-A-A
Report Date:	02/09/2023	Living Quarters:	A02-031L
Report Time:	5:33:53 PM		

<u>Alpha</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Transaction Amount</u>	<u>Encumbrance Amount</u>	<u>Ending Balance</u>
ASH	2/8/2023	3			Sales	(\$3.50)		\$150.17
ASH	6:48:00 AM							
ASH	2/8/2023	2			Sales	\$4.65		\$153.67
ASH	6:47:47 AM							
ASH	2/8/2023	1			Sales	(\$28.80)		\$149.02
ASH	6:29:17 AM							
ASH	2/7/2023	YIPP0123			Payroll - IPP	\$25.52		\$177.82
ASH	9:19:46 AM							
ASH	2/4/2023	TL0204			TRUL Withdrawal	(\$15.00)		\$152.30
ASH	8:25:08 PM							
ASH	2/4/2023	33323035			Western Union	\$150.00		\$167.30
ASH	4:07:28 PM							
ASH	1/24/2023	3			Sales	(\$60.50)		\$17.30
ASH	12:21:38 PM							
ASH	1/22/2023	TL0122			TRUL Withdrawal	(\$15.00)		\$77.80
ASH	6:51:42 PM							
ASH	1/20/2023	40			Sales	(\$43.65)		\$92.80
ASH	7:18:37 AM							
ASH	1/19/2023	TL0119			TRUL Withdrawal	(\$15.00)		\$136.45
ASH	9:44:06 AM							
ASH	1/19/2023	33323019			Western Union	\$150.00		\$151.45
ASH	9:07:14 AM							
ASH	1/18/2023	TL0118			TRUL Withdrawal	(\$2.00)		\$1.45
ASH	6:26:40 PM							
ASH	1/18/2023	TL0118			TRUL Withdrawal	(\$5.00)		\$3.45
ASH	2:11:58 PM							
ASH	1/11/2023	27			Sales	(\$19.05)		\$8.45
ASH	6:51:46 AM							
ASH	1/9/2023	TL0109			TRUL Withdrawal	(\$10.00)		\$27.50
ASH	4:34:04 PM							
ASH	1/9/2023	YIPP1222			Payroll - IPP	\$25.52		\$37.50
ASH	9:13:56 AM							
ASH	1/5/2023	27			Sales	(\$124.00)		\$11.98
ASH	6:55:13 AM							
ASH	12/28/2022	TL1228			TRUL Withdrawal	(\$15.00)		\$135.98
ASH	8:29:32 AM							
ASH	12/27/2022	33322361			Western Union	\$150.00		\$150.98
ASH	7:07:41 PM							
ASH	12/24/2022	TL1224			TRUL Withdrawal	(\$2.00)		\$0.98
ASH	2:50:11 PM							
ASH	12/24/2022	TL1224			TRUL Withdrawal	(\$5.00)		\$2.98
ASH	7:57:44 AM							
ASH	12/20/2022	TL1220			TRUL Withdrawal	(\$5.00)		\$7.98
ASH	4:32:16 PM							
ASH	12/7/2022	YFRP1222			FRP Quarterly Pymt	(\$30.00)		\$12.98
ASH	12:13:17 PM							
ASH	12/7/2022	YIPP1122			Payroll - IPP	\$25.52		\$42.98
ASH	12:10:48 PM							
ASH	11/30/2022	48			Sales	(\$139.85)		\$17.46
ASH	8:16:32 AM							
ASH	11/29/2022	TL1129			TRUL Withdrawal	(\$15.00)		\$157.31
ASH	6:54:34 PM							
ASH	11/29/2022	33322333			Western Union	\$150.00		\$172.31
ASH	10:06:48 AM							
ASH	11/23/2022	TL1123			TRUL Withdrawal	(\$10.00)		\$22.31
ASH	11:39:10 AM							
ASH	11/15/2022	TL1115			TRUL Withdrawal	(\$5.00)		\$32.31
ASH	10:08:34 AM							
ASH	11/7/2022	YIPP1022			Payroll - IPP	\$23.20		\$37.31
ASH	6:38:56 AM							
ASH	10/27/2022	29			Sales	(\$6.40)		\$14.11
ASH	7:05:54 AM							
ASH	10/27/2022	28			Sales	(\$72.10)		\$20.51
ASH	7:05:07 AM							
ASH	10/25/2022	TL1025			TRUL Withdrawal	(\$10.00)		\$92.61
ASH	8:59:48 AM							
ASH	10/24/2022	33322297			Western Union	\$100.00		\$102.61
ASH	8:07:44 PM							
ASH	10/20/2022	TL1020			TRUL Withdrawal	(\$2.00)		\$2.61
ASH	8:14:59 AM							
ASH	10/20/2022	25			Sales	(\$20.50)		\$4.61
ASH	6:44:49 AM							
ASH	10/13/2022	56			Sales	(\$19.05)		\$25.11
ASH	8:10:52 AM							
ASH	10/12/2022	TL1012			TRUL Withdrawal	(\$5.00)		\$44.16
ASH	5:51:58 PM							
ASH	10/11/2022	YIPP0922			Payroll - IPP	\$24.36		\$49.16
ASH	9:32:16 AM							

ASH	10/5/2022	40	Sales	(\$17.65)	\$24.80
ASH	7:38:14 AM				
ASH	10/4/2022	YICP1022	Inmate Co-pay	(\$2.00)	\$42.45
ASH	9:48:55 AM				
ASH	9/30/2022	47	Sales	(\$7.80)	\$44.45
ASH	7:32:22 AM				
ASH	9/30/2022	36	Sales	(\$12.95)	\$52.25
ASH	7:13:09 AM				
ASH	9/30/2022	34	Sales	(\$86.05)	\$65.20
ASH	7:11:03 AM				
ASH	9/27/2022	33322270	Western Union	\$150.00	\$151.25
ASH	8:06:57 PM				
ASH	9/19/2022	XICP0922	Inmate Co-pay	(\$2.00)	\$1.25
ASH	8:09:22 AM				
ASH	9/15/2022	TL0915	TRUL Withdrawal	(\$5.00)	\$3.25
ASH	4:51:53 PM				
ASH	9/13/2022	91	Sales	(\$23.45)	\$8.25
ASH	8:05:36 AM				
ASH	9/9/2022	25	Sales	(\$7.85)	\$31.70
ASH	6:50:25 AM				
ASH	9/8/2022	XFRP0922	FRP Quarterly Pymt	(\$30.00)	\$39.55
ASH	10:56:51 AM				

1 2

Total Transactions: 74

Totals: \$90.20 \$0.00

Current Balances

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrance</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Account Balance</u>
ASH	\$150.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.17
Totals:	\$150.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.17

Other Balances

<u>National 6 Months Deposits</u>	<u>National 6 Months Withdrawals</u>	<u>Natioanl 6 Months Avg Daily Balance</u>	<u>Local Max Balance - Prev 30 Days</u>	<u>Average Balance - Prev 30 Days</u>	<u>Commissary Restriction Start Date</u>	<u>Commissary Restriction End Date</u>
\$1,100.80	\$981.35	\$35.56	\$177.82	\$52.19	N/A	N/A