

# ORIGINAL

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

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JAN 19 2023

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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)

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**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.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
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.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
<u>B.O.P.</u>	<u>Ashland, KY</u>	<u>01/02/2019</u>	<u>\$ 25.12</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.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
<u>DIVORCED</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.

<b>Type of account (e.g., checking or savings)</b>	<b>Amount you have</b>	<b>Amount your spouse has</b>
	<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.

<b>Person owing you or your spouse money</b>	<b>Amount owed to you</b>	<b>Amount owed to your spouse</b>
<u>NONE</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").

<b>Name</b>	<b>Relationship</b>	<b>Age</b>
<u>L.A.C.</u>	<u>Daughter</u>	<u>18</u>
<u>R.G.C.</u>	<u>Daughter</u>	<u>16</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.

	<b>You</b>	<b>Your spouse</b>
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>0</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>	<b>\$ <u>0</u></b>	<b>\$ <u>N/A</u></b>

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  
 Inmate Name: CHANEY, JAMES  
 Report Date: 02/09/2023  
 Report Time: 5:33:53 PM

Current Institution: Ashland FCI  
 Housing Unit: ASH-A-A  
 Living Quarters: A02-031L

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

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

1 2

Total Transactions: 74

Totals: \$90.20 \$0.00

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
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

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