

22-7326

ORIGINAL

Supreme Court, U.S.  
FILED

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**19 Bender's Federal Practice Forms Form No. SCT39:2**

**Bender's Federal Practice Forms > RULES OF THE SUPREME COURT > PART VII. PRACTICE AND PROCEDURE > Supreme Court Rule 39. Proceeding in Forma Pauperis > FORMS**

**Form No. SCT39:2 Supreme Court's Form of Motion for Leave to Proceed in Forma Pauperis<sup>1</sup>**

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

IN THE  
SUPREME COURT OF THE UNITED STATES

QUANDRAIKO HAYES — PETITIONER  
(Your Name)

MILCE BROWN<sup>VS.</sup> — 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*.

☐ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):  
U.S. District Court Eastern District of Michigan

☐ 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.

3-27-2023

Quandraiko Hayes #229115  
4533 W. Industrial Park Dr  
Kincheloe, Michigan 49788

<sup>1</sup> This form is reproduced in part from the Supreme Court's Guide for Filing in Forma Pauperis Cases. The Clerk will provide a copy of the Guide, which provides instructions on how and when to file and a format for the actual petition. The form and guide can also be found at the Supreme Court's website <https://www.supremecourt.gov/casehand/guideforIFPcases2019.pdf>.

Re-submitted date: 4.7.2023

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

I, QUANDRAIKO HAYES, 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>45.00</u>	\$ _____	\$ <u>45.00</u>	\$ _____
Self-employment	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
Income from real property (such as rental income)	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
Interest and dividends	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
Gifts	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
Alimony	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
Child Support	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
Disability (such as social security, insurance payments)	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
Unemployment payments	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
Public-assistance (such as welfare)	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
Other (specify): _____	\$ <u>Ø</u>	\$ _____	\$ <u>Ø</u>	\$ _____
<b>Total monthly income:</b>	\$ <u>45.00</u>	\$ _____	\$ <u>45.00</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>Kinross Correctional Facility</u>	<u>4533 W. Industrial Park Dr. Kincheloe, MI 49708</u>	<u>11.19.2021</u>	<u>\$ 45.00</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>Ø</u>	<u>Ø</u>	<u>Ø</u>	<u>\$ Ø</u>
_____	_____	_____	<u>\$</u>
_____	_____	_____	<u>\$</u>

4. How much cash do you and your spouse have? \$ \_\_\_\_\_  
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>prison institution account</u>	<u>\$ 79.89</u>	<u>\$ Ø</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.

<input type="checkbox"/> Home Value <u>Ø</u>	<input type="checkbox"/> Other real estate Value <u>Ø</u>
<input type="checkbox"/> Motor Vehicle #1 Year, make & model <u>Ø</u> Value <u>Ø</u>	<input type="checkbox"/> Motor Vehicle #2 Year, make & model <u>Ø</u> Value <u>Ø</u>
<input type="checkbox"/> Other assets Description <u>Ø</u> Value <u>Ø</u>	

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

Ø  
Ø  
Ø

\$ Ø  
\$ Ø  
\$ Ø

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

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

Ø  
Ø  
Ø

Ø  
Ø  
Ø

Ø  
Ø  
Ø

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)

\$ Ø

\$ \_\_\_\_\_

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

Utilities (electricity, heating fuel,  
water, sewer, and telephone)

\$ Ø

\$ \_\_\_\_\_

Home maintenance (repairs and upkeep)

\$ Ø

\$ \_\_\_\_\_

Food

\$ 25.00

\$ \_\_\_\_\_

Clothing

\$ Ø NONE

\$ \_\_\_\_\_

Laundry and dry-cleaning

\$ Ø

\$ \_\_\_\_\_

Medical and dental expenses

\$ Ø

\$ \_\_\_\_\_

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>Ø</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>Ø</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>Ø</u>	\$ _____
Life	\$ <u>Ø</u>	\$ _____
Health	\$ <u>Ø</u>	\$ _____
Motor Vehicle	\$ <u>Ø</u>	\$ _____
Other: <u>Ø</u>	\$ <u>Ø</u>	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>Ø</u>	\$ _____
Installment payments		
Motor Vehicle	\$ <u>Ø</u>	\$ _____
Credit card(s)	\$ <u>Ø</u>	\$ _____
Department store(s)	\$ <u>Ø</u>	\$ _____
Other: <u>Ø</u>	\$ <u>Ø</u>	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>Ø</u>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>Ø</u>	\$ _____
Other (specify): <u>Ø</u>	\$ <u>Ø</u>	\$ _____
<b>Total monthly expenses:</b>	\$ <u>25.00</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.

The monies I receive in my account is from family to help provide for hygiene and personal products as well as communication and preparations for any appeals.

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

Executed on: April 7, , 20 23

Quandrako Hayes #229115  
(Signature)

Kinross Correctional Facility  
4533 W. Industrial Park Drive  
Kincheloe, Michigan 49788

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

IN THE SUPREME COURT  
OF THE UNITED STATES

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QUANDRAIKO HAYES,

Petitioner,

vs.

MIKE BROWN [Warden]

Respondent.

**AFFIDAVIT IN SUPPORT FOR MOTION TO  
PROCEED IN FORMA PAUPERIS**

Rule 39 of the United States Supreme Court 28 U.S.C. 1746.

Enclosed is a copy of my financial statements. Accordingly, I  
declare to have no assets or properties.

Attachments provided:

1. Rule 39 Motion to Proceed In Forma Pauperis to the United  
States Supreme Court;
2. Financial Statements.

Respectfully submitted,

Date: 3.22.2023

Re-submitted  
Date: 4.7.2023

*Quandraiko Hayes* #229115  
Quandraiko Hayes #229115  
4533 West Industrial Park Drive  
Kincheloe, Michigan 49788-1638

## Offender Information

Offender Number: 0229115

Institution: KCF

Living Unit: C2

Primary Balance: \$10.23

Offender Name: Hayes, Quandraiko

Housing Facility: KCF

Cell: 256

Available Balance: \$10.23

Account Status: Open

Tier: C2

Bed: Top

## Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
07/01/2022						\$51.24	
07/01/2022 09:04:24 AM	Stamps	KCF Institutional Services			(\$1.06)	\$50.18	KCF
07/06/2022 01:31:03 AM	Commissary Sale	Keefe Commissary	C104541256		(\$28.96)	\$21.22	KCF
07/06/2022 10:24:12 AM	Legal Copies Disbursement	KCF Institutional Services			(\$2.90)	\$18.32	KCF
07/06/2022 01:11:54 PM	Phone Credits	ViaPath Technologies			(\$10.00)	\$8.32	KCF
07/07/2022 09:44:22 AM	Stamps	KCF Institutional Services			(\$3.82)	\$4.50	KCF
07/13/2022 10:48:41 AM	Legal Copies Disbursement	KCF Institutional Services			(\$2.20)	\$2.30	KCF
07/15/2022 08:06:11 AM	KCF-Food Service	300 - Food Service		\$48.17		\$50.47	KCF
07/16/2022 07:40:11 PM	Kiosk Request	JPay Inc.			(\$5.50)	\$44.97	COF
07/19/2022 10:26:15 AM	Phone Credits	ViaPath Technologies			(\$10.00)	\$34.97	KCF
07/20/2022 01:30:55 AM	Commissary Sale	Keefe Commissary	C104562742		(\$32.68)	\$2.29	KCF
08/12/2022 06:58:39 AM	KCF-Food Service	300 - Food Service		\$47.90		\$50.19	KCF
08/15/2022 12:05:25 PM	Phone Credits	ViaPath Technologies			(\$15.00)	\$35.19	KCF
08/17/2022 01:31:04 AM	Commissary Sale	Keefe Commissary	C104606210		(\$28.72)	\$6.47	KCF
08/17/2022 07:45:02 AM	Stamps	KCF Institutional Services			(\$5.15)	\$1.32	KCF
08/23/2022 01:32:43 AM	Commissary Sale	Keefe Commissary	C104606210		\$0.66	\$1.98	KCF
09/07/2022 05:10:10 AM	GTL	PAMELA Moten		\$35.00		\$36.98	COF
09/08/2022 05:10:10 AM	GTL	Eric Vines		\$45.05		\$82.03	COF
09/09/2022 09:48:47 AM	Stamps	KCF Institutional Services			(\$0.57)	\$81.46	KCF
09/09/2022 01:27:37 PM	Phone Credits	ViaPath Technologies			(\$10.00)	\$71.46	KCF
09/09/2022 07:40:09 PM	Kiosk Request	JPay Inc.			(\$11.99)	\$59.47	COF
09/13/2022 10:38:54 AM	Stamps	KCF Institutional Services			(\$1.92)	\$57.55	KCF
09/14/2022 01:31:09 AM	Commissary Sale	Keefe Commissary	C104650520		(\$43.85)	\$13.70	KCF
09/14/2022 09:55:20 AM	Stamps	KCF Institutional Services			(\$0.57)	\$13.13	KCF
09/15/2022 09:44:08 AM	Phone Credits	ViaPath Technologies			(\$10.00)	\$3.13	KCF
09/15/2022 10:04:29 AM	KCF-Food Service	300 - Food Service		\$44.30		\$47.43	KCF
09/16/2022 07:40:13 PM	Kiosk Request	JPay Inc.			(\$5.99)	\$41.44	COF
09/17/2022 01:30:57 AM	Commissary Sale	Keefe Commissary	C104650520		\$2.18	\$43.62	KCF
09/28/2022 01:31:06 AM	Commissary Sale	Keefe Commissary	C104674278		(\$33.39)	\$10.23	KCF
09/30/2022				\$220.42	(\$261.43)	\$10.23	



Savings				
Date	Deposit	Expense	Balance	Loc Code
07/01/2022			\$0.00	
No Activity				
09/30/2022	\$0.00	\$0.00	\$0.00	

Holds - Current as of Date and Time of Report				
Date Held	Hold Type	Notes		Amount
No Activity				

Remaining Obligations - Current as of Date and Time of Report									
Description	Paid To	Max Per Period	Ordered	Transfer	Outside Source	Held	Paid	Written Off	Total Remaining
No Remaining Obligations									
								Total:	\$0.00

# Daily Transaction Summary: October 01, 2022 - December 31, 2022

Page 1

## Offender Information

Offender Number: 0229115  
Offender Name: Hayes, Quandraiko  
Account Status: Open

Institution: KCF  
Housing Facility: KCF  
Tier: C2

Living Unit: C2  
Cell: 256  
Bed: Top

Primary Balance: \$0.30  
Available Balance: \$0.30

## Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
10/01/2022							
10/04/2022 10:12:54 AM	Phone Credits	ViaPath Technologies				\$10.23	
10/14/2022 07:12:53 AM	KCF-Food Service	300 - Food Service			(\$10.00)	\$0.23	KCF
10/18/2022 09:28:03 AM	Phone Credits	ViaPath Technologies		\$41.68		\$41.91	KCF
10/26/2022 01:31:00 AM	Commissary Sale	Keefe Commissary			(\$10.00)	\$31.91	KCF
11/02/2022 01:30:45 AM	Commissary Sale	Keefe Commissary	C104717857		(\$31.71)	\$0.20	KCF
11/16/2022 08:08:40 AM	KCF-Food Service	300 - Food Service	C104717857		\$0.91	\$1.11	KCF
11/16/2022 08:08:40 AM	KCF-Food Service	300 - Food Service		\$38.45		\$39.56	KCF
11/17/2022 11:41:03 AM	Phone Credits	ViaPath Technologies		\$2.33		\$41.89	KCF
11/22/2022 01:31:41 AM	Commissary Sale	Keefe Commissary			(\$10.00)	\$31.89	KCF
11/22/2022 02:07:54 PM	Phone Credits	ViaPath Technologies	C104764613		(\$16.16)	\$15.73	KCF
11/23/2022 09:44:59 AM	KCF-Food Service	300 - Food Service			(\$10.00)	\$5.73	KCF
11/29/2022 09:29:26 AM	Phone Credits	ViaPath Technologies		\$5.94		\$11.67	KCF
12/03/2022 01:31:06 AM	Commissary Sale	Keefe Commissary			(\$10.00)	\$1.67	KCF
12/16/2022 10:34:28 AM	Phone Credits	ViaPath Technologies	C104764613		\$5.41	\$7.08	KCF
12/16/2022 02:05:40 PM	KCF-Food Service	300 - Food Service			\$0.00	\$7.08	KCF
12/20/2022 02:32:17 PM	Phone Credits	ViaPath Technologies		\$38.12		\$45.20	KCF
12/21/2022 01:31:09 AM	Commissary Sale	Keefe Commissary	C104809178		(\$10.00)	\$35.20	KCF
12/31/2022					(\$34.90)	\$0.30	KCF
				\$126.52	(\$136.45)	\$0.30	

## Savings

Date	Deposit	Expense	Balance	Loc Code
10/01/2022				
No Activity			\$0.00	
12/31/2022				
	\$0.00	\$0.00	\$0.00	

## Holds - Current as of Date and Time of Report

Date Held	Hold Type	Notes
No Activity		

## Remaining Obligations - Current as of Date and Time of Report

Amount

Description	Paid To	Max Per Period	Ordered	Transfer	Outside Source	Held	Paid	Written Off	Total Remaining
No Remaining Obligations									
								Total:	\$0.00

## Offender Information

Offender Number: 0229115	Institution: KCF	Living Unit: C2	Primary Balance: \$79.89
Offender Name: Hayes, Quandraiko	Housing Facility: KCF	Cell: 256	Available Balance: \$79.89
Account Status: Open	Tier: C2	Bed: Top	

## Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
01/01/2023						\$0.30	
01/17/2023 07:20:27 AM	KCF-Food Service	300 - Food Service		\$2.70		\$3.00	KCF
01/17/2023 07:20:27 AM	KCF-Food Service	300 - Food Service		\$50.65		\$53.65	KCF
01/17/2023 07:20:27 AM	KCF-Food Service	300 - Food Service		\$65.25		\$118.90	KCF
01/18/2023 01:31:01 AM	Commissary Sale	Keefe Commissary	C104850669		(\$32.82)	\$86.08	KCF
01/18/2023 01:10:39 PM	Phone Credits	ViaPath Technologies			(\$15.00)	\$71.08	KCF
01/24/2023 08:06:44 AM	Stamps	KCF Institutional Services			(\$0.57)	\$70.51	KCF
01/24/2023 09:56:27 AM	Legal Copies Disbursement	KCF Institutional Services			(\$2.40)	\$68.11	KCF
01/25/2023 07:40:10 PM	Kiosk Request	JPay Inc.			(\$2.00)	\$66.11	COF
01/26/2023 09:46:11 AM	Stamps	KCF Institutional Services			(\$0.84)	\$65.27	KCF
01/27/2023 01:30:59 AM	Commissary Sale	Keefe Commissary	C104850669		\$1.00	\$66.27	KCF
01/27/2023 11:29:10 AM	Legal Copies Disbursement	KCF Institutional Services			(\$0.20)	\$66.07	KCF
01/31/2023 09:53:27 AM	Phone Credits	ViaPath Technologies			(\$15.00)	\$51.07	KCF
02/01/2023 01:30:50 AM	Commissary Sale	Keefe Commissary	C104874499		(\$39.84)	\$11.23	KCF
02/08/2023 11:16:02 AM	Legal Copies Disbursement	KCF Institutional Services			(\$7.40)	\$3.83	KCF
02/08/2023 11:16:12 AM	Legal Copies Disbursement	KCF Institutional Services			(\$3.50)	\$0.33	KCF
02/14/2023 12:07:36 PM	KCF-Food Service	300 - Food Service		\$46.82		\$47.15	KCF
02/22/2023 10:58:36 AM	Phone Credits	ViaPath Technologies			(\$10.00)	\$37.15	KCF
02/23/2023 10:50:06 AM	Stamps	KCF Institutional Services			(\$0.84)	\$36.31	KCF
03/01/2023 01:05:44 PM	Commissary Sale	Keefe Commissary	C104919395		(\$36.29)	\$0.02	KCF
03/06/2023 05:10:11 AM	GTL	Kenneth Gaston		\$50.00		\$50.02	COF
03/08/2023 11:15:30 AM	Phone Credits	ViaPath Technologies			(\$10.00)	\$40.02	KCF
03/08/2023 01:16:53 PM	Legal Copies Disbursement	KCF Institutional Services			(\$2.80)	\$37.22	KCF
03/09/2023 01:47:09 PM	Stamps	KCF Institutional Services			(\$1.20)	\$36.02	KCF
03/09/2023 07:40:16 PM	Kiosk Request	JPay Inc.			(\$5.00)	\$31.02	COF
03/12/2023 05:10:11 AM	GTL	TANSHENIKA HAYES		\$100.00		\$131.02	COF
03/14/2023 09:06:08 AM	KCF-Food Service	300 - Food Service		\$49.30		\$180.32	KCF
03/15/2023 01:30:58 AM	Commissary Sale	Keefe Commissary	C104942941		(\$67.93)	\$112.39	KCF
03/17/2023 10:01:14 AM	Phone Credits	ViaPath Technologies			(\$10.00)	\$102.39	KCF
03/22/2023 10:18:40 AM	Legal Copies Disbursement	KCF Institutional Services			(\$2.80)	\$99.59	KCF
03/24/2023 01:11:48 PM	Legal Stamps	KCF Institutional Services			(\$9.55)	\$90.04	KCF

## Primary Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
03/24/2023 01:12:01 PM	Legal Stamps	KCF Institutional Services			(\$9.55)	\$80.49	KCF
03/27/2023 09:40:35 AM	Stamps	KCF Institutional Services			(\$0.60)	\$79.89	KCF
03/31/2023				\$364.72	(\$285.13)	\$79.89	

## Savings

Date	Deposit	Expense	Balance	Loc Code
01/01/2023			\$0.00	
No Activity				
03/31/2023	\$0.00	\$0.00	\$0.00	

## Holds - Current as of Date and Time of Report

Date Held	Hold Type	Notes	Amount
No Activity			

## Remaining Obligations - Current as of Date and Time of Report

Description	Paid To	Max Per Period	Ordered	Transfer	Outside Source	Held	Paid	Written Off	Total Remaining
No Remaining Obligations									
Total:									\$0.00