

ORIGINAL

Supreme Court, U.S.

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22-7326

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*¹

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Quandraiko Hayes — PETITIONER
(Your Name)

Michele Brown VS. — 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.

3-22-2023

Quandraiko Hayes #22915
4533 W. Industrial Park Dr
Kinceloe Michigan 49788

¹ 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>0</u>	\$ _____	\$ <u>0</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>0</u>	\$ _____	\$ <u>0</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>	\$ _____
Total monthly income:	\$ <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
Kinross Correctional Facility	4533 W Industrial Park Dr. Kincheloe, MI 49788	11-19-2021	\$ 45.00
			\$
			\$

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
✓	✓	✓	✓
			\$
			\$
			\$

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
prison institution account	\$ 79.89	✓
	\$	
	\$	
	\$	

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

Home
Value ✓

Other real estate
Value ✓

Motor Vehicle #1
Year, make & model ✓
Value ✓

Motor Vehicle #2
Year, make & model ✓
Value ✓

Other assets
Description ✓
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>✓</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>✓</u>	<u>✓</u>	<u>✓</u>
<u>✓</u>	<u>✓</u>	<u>✓</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>✓</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>✓</u>	\$ _____
Home maintenance (repairs and upkeep)	\$ <u>✓</u>	\$ _____
Food	\$ <u>✓</u>	\$ _____
Clothing	\$ <u>✓</u> <u>25.00</u> <u>NONE</u>	\$ _____
Laundry and dry-cleaning	\$ <u>✓</u>	\$ _____
Medical and dental expenses	\$ <u>✓</u>	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <i>0</i>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <i>0</i>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <i>0</i>	\$ _____
Life	\$ <i>0</i>	\$ _____
Health	\$ <i>0</i>	\$ _____
Motor Vehicle	\$ <i>0</i>	\$ _____
Other: <i>0</i>	\$ <i>0</i>	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <i>0</i>	\$ _____
Installment payments		
Motor Vehicle	\$ <i>0</i>	\$ _____
Credit card(s)	\$ <i>0</i>	\$ _____
Department store(s)	\$ <i>0</i>	\$ _____
Other: <i>0</i>	\$ <i>0</i>	\$ _____
Alimony, maintenance, and support paid to others	\$ <i>0</i>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <i>0</i>	\$ _____
Other (specify): <i>0</i>	\$ <i>0</i>	\$ _____
Total monthly expenses:	<i>250</i>	\$ _____

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.

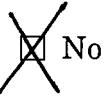
10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? Yes No

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, 2023

Quandarico Hayes #22915
(Signature)

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

No. _____

IN THE SUPREME COURT
OF THE UNITED STATES

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,

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

Date: 3/22/2023

Re-submitted 4/7/2023
Date:

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			(\$6.15)	\$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

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

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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			(\$10.00)	\$10.23	
10/14/2022 07:12:53 AM	KCF-Food Service	300 - Food Service		\$41.68		\$0.23	KCF
10/18/2022 09:28:03 AM	Phone Credits	ViaPath Technologies			(\$10.00)	\$41.91	KCF
10/26/2022 01:31:00 AM	Commissary Sale	Keefe Commissary			(\$31.71)	\$31.91	KCF
11/02/2022 01:30:45 AM	Commissary Sale	Keefe Commissary	C104717857			\$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			(\$10.00)	\$35.20	KCF
12/31/2022			C104809178		(\$34.90)	\$0.30	KCF
				\$126.52	(\$136.45)	\$0.30	

Savings

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

Daily Transaction Summary (0229115 - Quandraiko Hayes cont.): October 01, 2022 - December 31, 2022

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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

Daily Transaction Summary (0229115 - Quandraiko Hayes cont.): January 01, 2023 - March 31, 2023

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Priority 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	

Services

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

Funds - 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