

No. 22-7547

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Carl Lee Ashley

(Your Name)

— PETITIONER

Supreme Court, U.S.
FILED

MAY - 5 2023

OFFICE OF THE CLERK

VS.

Mary Boayue, et al

— 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 Michigan

United States Court of Appeals for the Sixth Circuit

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.

Carl Lee Ashley
(Signature)

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

I, Carl Lee Ashley, 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	\$ 220.00	unknown	\$ 19.00	unknown
Self-employment	\$ N/A		\$	
Income from real property (such as rental income)	\$ N/A		\$	
Interest and dividends	\$ N/A		\$	
Gifts	\$ 850.00		\$ unknown	
Alimony	\$ N/A		\$	
Child Support	\$ N/A		\$	
Retirement (such as social security, pensions, annuities, insurance)	\$ N/A		\$	
Disability (such as social security, insurance payments)	\$ N/a		\$	
Unemployment payments	\$ N/A		\$	
Public-assistance (such as welfare)	\$ N/A		\$	
Other (specify):	\$ N/A		\$	
Total monthly income:	\$ 1070.00			

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
Dept of Corrections	Coldwater, MI	2021-2023	\$ 19.00
			\$
			\$

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? \$ I have 117.00

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
MDOC Trust Account	\$ 117.00	\$ unknown
	\$	\$
	\$	\$

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
None	\$ None	\$ unknown
	\$ _____	\$ _____
	\$ _____	\$ _____

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
None		

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)	\$ unknown	\$ unknown

Are real estate taxes included? Yes No

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

Incarcerated for the past 48 years.

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

Executed on: May 01, 2023

Carl Lee Guly
(Signature)

FEDERAL COURT

Prisoner-Plaintiff/Petitioner/Appellant name and number
Ashley #136985

Defendant's/Respondent's/Appellee's name
United States Supreme Court

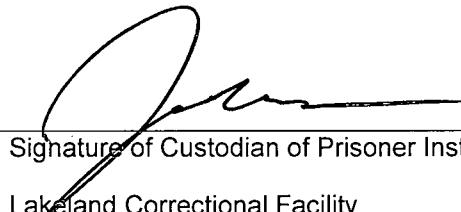
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CERTIFICATE OF PRISONER INSTITUTIONAL/TRUST FUND ACCOUNT ACTIVITY

I am employed by the Michigan Department of Corrections at the facility identified below, at which the prisoner identified as Plaintiff/Petitioner/Appellant is currently incarcerated.

Attached is a computer printout which accurately reflects the current spendable balance and all activity within this prisoner's account during the preceding six months or, if the prisoner has been incarcerated for less than six months, for the period of incarceration. Code "C" on the printout represents a withdrawal from the account and code "D" represents a deposit to the account. The attached printout reflects, for the reported period, an average monthly account deposit (i.e., total deposits divided by number of months) of \$160, an average monthly account balance (i.e., total deposits minus total withdrawals divided by number of months) of \$0.13. There is a current spendable account balance of \$-24.83.

Date: 4/26/23


Signature of Custodian of Prisoner Institutional/Trust Fund Account

Lakeland Correctional Facility
Correctional Facility

Offender Information

Offender Number: 0136985	Institution: LCF	Living Unit: B1	Primary Balance: \$117.09
Offender Name: ASHLEY, CARL LEE	Housing Facility: LCF	Cell: 005	Available Balance: \$117.09
Account Status: Open	Tier: B1	Bed: Bot	

Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
10/25/2022						\$266.08	
10/28/2022 01:31:19 AM	Commissary Sale	Keefe Commissary	C104709111		\$6.96	\$273.04	LCF
11/02/2022 12:17:15 PM	Phone Credits	ViaPath Technologies			(\$15.00)	\$258.04	LCF
11/03/2022 01:31:01 AM	Commissary Sale	Keefe Commissary	C104730580		(\$55.93)	\$202.11	LCF
11/16/2022 07:12:11 AM	LCF-Institutional Services	500 - Institutional Services		\$18.48		\$220.59	LCF
11/17/2022 01:31:19 AM	Commissary Sale	Keefe Commissary	C104753375		(\$59.36)	\$161.23	LCF
11/17/2022 09:11:26 AM	Legal Stamps	LCF Institutional Services	LCF Igl post 111722		(\$0.57)	\$160.66	LCF
11/17/2022 09:11:39 AM	Legal Stamps	LCF Institutional Services	LCF Igl post 111722		(\$0.57)	\$160.09	LCF
11/17/2022 09:11:53 AM	Legal Stamps	LCF Institutional Services	LCF Igl post 111722		(\$0.57)	\$159.52	LCF
11/17/2022 11:27:57 AM	Medical Co-Pay Disbursement	Health Care Co-Pay	MED LCF DOS 11.04.22		(\$5.00)	\$154.52	LCF
11/18/2022 05:10:09 AM	GTL	Ashley Freeman		\$100.00		\$254.52	COF
11/19/2022 04:00:02 AM	Court Filing Fee (Federal)	U.S. DISTRICT COURT EAST MICHIGAN			(\$3.69)	\$250.83	COF
11/19/2022 04:00:02 AM	Court Filing Fee (Federal)	U.S. DISTRICT COURT EAST MICHIGAN			(\$20.00)	\$230.83	COF
11/19/2022 07:40:10 PM	Kiosk Request	JPay Inc.			(\$5.00)	\$225.83	COF
12/01/2022 01:30:59 AM	Commissary Sale	Keefe Commissary	C104775727		(\$56.15)	\$169.68	LCF
12/08/2022 01:23:15 PM	Legal Copies Disbursement	LCF PBF Copies	LGL CPY LCF 112922		(\$2.40)	\$167.28	LCF
12/10/2022 07:40:09 PM	Kiosk Request	JPay Inc.			(\$1.99)	\$165.29	COF
12/14/2022 08:50:31 AM	LCF-Institutional Services	500 - Institutional Services		\$18.48		\$183.77	LCF
12/15/2022 01:31:12 AM	Commissary Sale	Keefe Commissary	C104799378		(\$59.46)	\$124.31	LCF
12/16/2022 10:26:55 AM	UPS Charges	LCF Institutional Services	LCF reg post 121622		(\$7.02)	\$117.29	LCF
12/17/2022 05:10:10 AM	GTL	Ashley Freeman		\$100.00		\$217.29	COF
12/17/2022 07:40:09 PM	Kiosk Request	JPay Inc.			(\$5.00)	\$212.29	COF
12/18/2022 04:00:01 AM	Court Filing Fee (Federal)	U.S. DISTRICT COURT EAST MICHIGAN			(\$3.69)	\$208.60	COF
12/18/2022 04:00:01 AM	Court Filing Fee (Federal)	U.S. DISTRICT COURT EAST MICHIGAN			(\$20.00)	\$188.60	COF
12/29/2022 07:49:35 AM	Commissary Sale	Keefe Commissary	C104822569		(\$51.31)	\$137.29	LCF
12/29/2022 08:34:37 AM	Phone Credits	ViaPath Technologies			(\$20.00)	\$117.29	LCF
01/03/2023 05:10:12 AM	GTL	Ashley Freeman		\$300.00		\$417.29	COF
01/04/2023 04:00:01 AM	Court Filing Fee (Federal)	U.S. DISTRICT COURT EAST MICHIGAN			(\$60.00)	\$357.29	COF

Primary Trust Transactions

Date	Transaction Type	Payer / Paid To	Voucher Number	Deposit	Expense	Balance	Loc Code
01/11/2023 01:30:49 AM	Commissary Sale	Keefe Commissary	C104822569		\$4.40	\$361.69	LCF
01/12/2023 01:30:54 AM	Commissary Sale	Keefe Commissary	C104842736		(\$83.00)	\$278.69	LCF
01/12/2023 07:40:12 PM	Kiosk Request	JPay Inc.			(\$5.00)	\$273.69	COF
01/17/2023 07:00:31 AM	LCF-Institutional Services	500 - Institutional Services		\$17.64		\$291.33	LCF
01/24/2023 08:35:25 AM	Legal Stamps	LCF Institutional Services	LCF Lgl Pst 1.24.23		(\$2.22)	\$289.11	LCF
01/24/2023 08:35:40 AM	Legal Stamps	LCF Institutional Services	LCF Lgl Pst 1.24.23		(\$2.22)	\$286.89	LCF
01/24/2023 08:35:54 AM	Legal Stamps	LCF Institutional Services	LCF Lgl Pst 1.24.23		(\$2.22)	\$284.67	LCF
01/26/2023 01:30:59 AM	Commissary Sale	Keefe Commissary	C104864743		(\$75.06)	\$209.61	LCF
02/09/2023 01:30:55 AM	Commissary Sale	Keefe Commissary	C104886800		(\$65.91)	\$143.70	LCF
02/14/2023 06:55:20 AM	LCF-Institutional Services	500 - Institutional Services		\$19.32		\$163.02	LCF
02/15/2023 04:00:03 AM	Court Filing Fee (Federal)	U.S. DISTRICT COURT EAST MICHIGAN			(\$3.52)	\$159.50	COF
02/15/2023 04:00:03 AM	Court Filing Fee (Federal)	U.S. DISTRICT COURT EAST MICHIGAN			(\$3.71)	\$155.79	COF
02/23/2023 01:30:54 AM	Commissary Sale	Keefe Commissary	-C104909929		(\$65.63)	\$90.16	LCF
02/28/2023 08:34:13 AM	JL Marcus Disbursement	Jack L Marcus	shoe		(\$60.41)	\$29.75	LCF
03/02/2023 05:10:15 AM	GTL	Ashley Freeman		\$150.00		\$179.75	COF
03/04/2023 07:40:09 PM	Kiosk Request	JPay Inc.			(\$5.00)	\$174.75	COF
03/09/2023 01:30:58 AM	Commissary Sale	Keefe Commissary	C104933179		(\$63.26)	\$111.49	LCF
03/10/2023 07:40:14 PM	Kiosk Request	JPay Inc.			(\$3.00)	\$108.49	COF
03/14/2023 09:17:12 AM	LCF-Institutional Services	500 - Institutional Services		\$16.80		\$125.29	LCF
03/23/2023 01:30:56 AM	Commissary Sale	Keefe Commissary	C104956854		(\$67.86)	\$57.43	LCF
03/31/2023 05:10:09 AM	GTL	Ashley Freeman		\$150.00		\$207.43	COF
04/05/2023 02:50:42 PM	Medical Co-Pay Disbursement	Health Care Co-Pay	MED LCF DOS 031623		(\$5.00)	\$202.43	LCF
04/06/2023 01:30:56 AM	Commissary Sale	Keefe Commissary	C104978852		(\$77.97)	\$124.46	LCF
04/12/2023 08:50:06 AM	Regular Copies Disbursement	LCF PBF Copies	reg cpy LCF 041123		(\$2.10)	\$122.36	LCF
04/14/2023 07:25:27 AM	LCF-Institutional Services	500 - Institutional Services		\$19.32		\$141.68	LCF
04/19/2023 05:10:09 AM	GTL	Ashley Freeman		\$50.00		\$191.68	COF
04/20/2023 01:31:10 AM	Commissary Sale	Keefe Commissary	C105000809		(\$69.59)	\$122.09	LCF
04/22/2023 07:40:12 PM	Kiosk Request	JPay Inc.			(\$5.00)	\$117.09	COF
04/26/2023				\$960.04	(\$1,109.03)	\$117.09	

Savings

Date	Deposit	Expense	Balance	Loc Code
10/25/2022			\$0.00	
No Activity				
04/26/2023	\$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
*Court Filing Fee - Court Filing Fee (Federal) - 1:21-cv-192	U.S. DISTRICT COURT WEST MICHIGAN	N/A	\$320.47	\$0.00	\$0.00	N/A	\$320.47	N/A	\$0.00
*Court Filing Fee - Court Filing Fee (Federal) - 19-10484	U.S. DISTRICT COURT EAST MICHIGAN	N/A	\$472.45	\$0.00	\$0.00	N/A	\$472.45	N/A	\$0.00
*Court Filing Fee - Initial Partial (Federal) - 1:21-cv-192	U.S. DISTRICT COURT WEST MICHIGAN	N/A	\$29.53	\$0.00	\$0.00	N/A	\$29.53	N/A	\$0.00
*Court Filing Fee - Initial Partial (Federal) - 19-10484	U.S. DISTRICT COURT EAST MICHIGAN	N/A	\$32.55	\$0.00	\$0.00	N/A	\$32.55	N/A	\$0.00
* - Obligation is currently not active									Total: \$0.00