

22-7575

IN THE
SUPREME COURT OF THE UNITED STATES

ORIGINAL

LARRY D. EDMOND
PETITIONER

vs.

JEFF BUTLER
RESPONDENT

FILED
MAR 29 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asked leave to file the attached petition for a writ of certiorari without prepayment of cost 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 Kansas. (App. E)

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

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 other order of appointment is appended.

Larry D. Edmond
RECEIVED
Signature
APR - 4 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Larry D. Edmond, am the petitioner in the above-entitled case. In support of my motion proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the cost of this case or give security therefor; and I believe I am entitled redress.

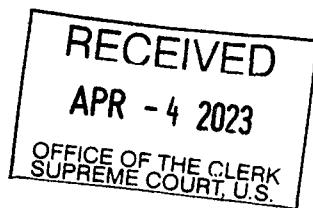
I, Larry D. Edmond, of lawful age, being first duly sworn upon oath, under the penalty of perjury, attests:

1. I am presently incarcerated at Oswego Correctional Facility, Oswego Kansas, and have been incarcerated since October 21, 2011.
2. I only receive \$29.40 a month from the Kansas Department of Correction.
3. I do not own any stocks, bonds, checking or saving accounts, nor do I own any real estates, notes, automobiles or other property.
4. Other than occasional gifts sent by family or friends, I have no sufficient funds.
5. I further state that by reasons of poverty, I am unable to pay filing fees, docket fees or other fees and court costs.
6. I respectfully request permission to proceed *in forma pauperis* in this proceeding.

I, Larry Edmond, the undersigned affiant, do hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 24, 2023

Larry Edmond
Affiant



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

I, Larry Edmond, 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>29.40</u>	\$ _____	\$ <u>29.40</u>	\$ _____
Self-employment	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Gifts	\$ <u>50.00</u>	\$ _____	\$ <u>50.00</u>	\$ _____
Alimony	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Child Support	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Other (specify): <u>N/A</u>	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ <u>79.40</u>	\$ _____	\$ <u>79.40</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
N/A			\$
			\$
			\$

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
N/A			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ N/A

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
N/A	\$	\$
	\$	\$
	\$	\$

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 N/A

Motor Vehicle #1

Year, make & model N/A

Motor Vehicle #2

Year, make & model N/A

Value

Value

Other assets

Description N/A

Value N/A

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
N/A	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
N/A	N/A	N/A
_____	_____	_____
_____	_____	_____

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.

N/A

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ N/A	\$ _____
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ N/A	\$ _____
Home maintenance (repairs and upkeep)	\$ N/A	\$ _____
Food	\$ N/A	\$ _____
Clothing	\$ N/A	\$ _____
Laundry and dry-cleaning	\$ N/A	\$ _____
Medical and dental expenses	\$ 2.00	\$ _____

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

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? _____

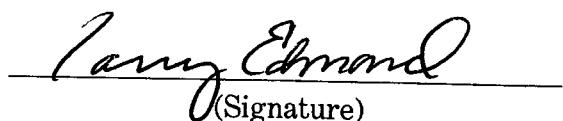
If yes, state the person's name, address, and telephone number:

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

1. I am presently incarcerated at Kansas Department of Correction, Oswego Correctional Facility, and have been incarcerated since October 21, 2011.
2. I only receive \$29.40 a month from the Kansas Department of Correction.
3. Other than occasional gifts sent by family and friends, I have no sufficient funds.
4. I further state that by reasons of poverty, I am unable to pay filing fees, docket fees or other fees and court costs.

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

Executed on: April 24, 2023


(Signature)