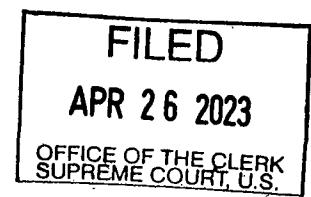


No. 22 - 7608



IN THE
SUPREME COURT OF THE UNITED STATES

Phillip L. Horrell — PETITIONER
(Your Name)

VS.

State of Illinois — 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):

N/A

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: N/A

The appointment was made under the following provision of law: _____

N/A, or

a copy of the order of appointment is appended.

N/A

Phillip L. Horrell

(Signature)

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

I, Philip L. Horrell, 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>2.50</u> | \$ <u>N/A</u> | \$ <u>30.00</u> | \$ <u>N/A</u> |
| Self-employment | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Income from real property (such as rental income) | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Interest and dividends | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Gifts | \$ <u>275.00</u> | \$ <u>N/A</u> | \$ <u>200.00</u> | \$ <u>N/A</u> |
| Alimony | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Child Support | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Retirement (such as social security, pensions, annuities, insurance) | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Disability (such as social security, insurance payments) | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Unemployment payments | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Public-assistance (such as welfare) | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Other (specify): <u>N/A</u> | \$ <u>0</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Total monthly income: | \$ <u>277.50</u> | \$ <u>N/A</u> | \$ <u>230.00</u> | \$ <u>N/A</u> |

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

(Incarcerated since 10/13/2012)

| Employer | Address | Dates of Employment | Gross monthly pay |
|----------|---------|---------------------|-------------------|
| N/A | N/A | N/A | \$ 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.)

N/A (N = spouse)

| Employer | Address | Dates of Employment | Gross monthly pay |
|----------|---------|---------------------|-------------------|
| N/A | N/A | N/A | \$ N/A |
| | | | \$ |
| | | | \$ |

4. How much cash do you ~~and your~~ spouse have? \$ I have (approx) \$671.99 (on my trust fund acct.) Below, state any money you or your spouse have in bank accounts or in any other financial institution.

(Please see attached "certificate," + 6 mos of acct. ledgers)

| Type of account (e.g., checking or savings) | Amount you have | Amount your spouse has |
|---|------------------|------------------------|
| trust fund acct./Hilk C.C. | \$ <u>671.99</u> | \$ N/A |
| | \$ | \$ |
| | \$ | \$ |

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

(None - ♂)

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 _____

6. State every person, business, or organization owing you or your spouse money, and the amount owed. (none - \$)

| Person owing you or your spouse money | Amount owed to you | Amount owed to your spouse |
|---------------------------------------|--------------------|----------------------------|
| <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</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"). (none)

| Name | Relationship | Age |
|------------|--------------|------------|
| <u>N/A</u> | <u>N/A</u> | <u>N/A</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.

(none - \$) (ward of state of IL)

You

Your spouse

Rent or home-mortgage payment
(include lot rented for mobile home)

\$ N/A \$ N/A

Are real estate taxes included? Yes No

Is property insurance included? Yes No

N/A

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

\$ N/A \$ N/A

Home maintenance (repairs and upkeep)

\$ N/A \$ N/A

Food

\$ N/A \$ N/A

Clothing

\$ N/A \$ N/A

Laundry and dry-cleaning

\$ N/A \$ N/A

Medical and dental expenses

\$ N/A \$ 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?

(No)

Yes No If yes, describe on an attached sheet.

N/A

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? N/A

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

N/A

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? N/A

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

N/A

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

I rely on gifts of money from my immediate family, to make commissary purchases. My monthly pay is \$30.00, and lasts only 6 mos. I'm not sure if I could pay the costs with my \$30.00 a month pay, and gifts I receive. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 5-8-2023, 2023

Phillip L. Horrell
(Signature)

CERTIFICATE

(TO BE COMPLETED FOR PRISONERS ONLY. THIS IS A STATEMENT BY THE PRISON AND NOT THE PRISONER.)

I hereby certify that the plaintiff or petitioner in this action has the sum of \$ 671.99 in their trust fund account at this correctional center where they are confined. I further certify that the plaintiff or petitioner has the following securities to their credit according to the records of this institution.

Yolanda NewGarden

Authorized Officer

Hill CC

Institution

Asst Tech I

Title

5-8-2023

Date

IMPORTANT: THIS CERTIFICATE MUST BE ACCCOMPANIED BY A COPY OF A SIX-MONTH LEDGER OF THE PLAINTIFF'S TRUST FUND ACCOUNT.

Date: 5/8/2023
Time: 2:46pm

d_list_inmate_trans_statement_composite

**Hill Correctional Center
Trust Fund**

Inmate Transaction Statement

Page 1

REPORT CRITERIA - Date: 11/08/2022 thru End; Inmate: K58809; Active Status Only ? : No; Print Restrictions ? : Yes;
Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print Balance
Errors Only ? : No

Inmate: K58809 Horrell, Phillip L.

Housing Unit: HIL-R3-B -12

| Date | Source | Transaction Type | Batch | Reference # | Description | Amount | Balance |
|----------|---------------|-----------------------------|---------|----------------|---|---------------------------|---------------|
| | | | | | | Beginning Balance: | 355.89 |
| 11/10/22 | Point of Sale | 60 Commissary | 3147138 | 882186 | Commissary | -354.31 | 1.58 |
| 11/15/22 | Mail Room | 16 GTL | 319200 | 21355746448292 | horrell, patti | 100.00 | 101.58 |
| 11/15/22 | Mail Room | 16 GTL | 319200 | 21355746342307 | Horrell, Lawrence | 100.00 | 201.58 |
| 11/22/22 | Point of Sale | 60 Commissary | 3267138 | 882918 | Commissary | -181.24 | 20.34 |
| 11/30/22 | Disbursements | 81 Legal Postage | 3343164 | Chk #176007 | 11/17/2022, Pitney B, Inv. Date: 11/17/2022 | -.81 | 19.53 |
| 11/30/22 | Disbursements | 80 Postage | 3343164 | Chk #176007 | 11/18/2022, Pitney B, Inv. Date: 11/18/2022 | -1.44 | 18.09 |
| 11/30/22 | Disbursements | 80 Postage | 3343164 | Chk #176007 | 11/18/2022, Pitney B, Inv. Date: 11/18/2022 | -1.44 | 16.65 |
| 11/30/22 | Disbursements | 81 Legal Postage | 3343164 | Chk #176007 | 11/21/2022, Pitney B, Inv. Date: 11/21/2022 | -2.16 | 14.49 |
| 11/30/22 | Disbursements | 80 Postage | 3343164 | Chk #176007 | 11/21/2022, Pitney B, Inv. Date: 11/21/2022 | -3.12 | 11.37 |
| 11/30/22 | Disbursements | 84 Library | 3343164 | Chk #176008 | 11/15/2022, DOC: 523, Inv. Date: 11/15/2022 | -8.20 | 3.17 |
| 12/06/22 | Mail Room | 16 GTL | 340200 | 21379425969574 | Horrell, Lawrence | 150.00 | 153.17 |
| 12/06/22 | Mail Room | 16 GTL | 340200 | 21356688945571 | horrell, patti | 100.00 | 253.17 |
| 12/13/22 | Payroll | 20 Payroll Adjustment | 3471164 | | P/R month of 112022 | 12.76 | 265.93 |
| 12/19/22 | Point of Sale | 60 Commissary | 3537182 | 884543 | Commissary | -187.12 | 78.81 |
| 12/19/22 | Disbursements | 80 Postage | 3533164 | Chk #176481 | 12/14/2022, Pitney B, Inv. Date: 12/14/2022 | -2.28 | 76.53 |
| 12/21/22 | Mail Room | 16 GTL | 355200 | 21387416677285 | Vadeboncoeur, Maria | 100.00 | 176.53 |
| 01/05/23 | Mail Room | 16 GTL | 005200 | 21405110517795 | horrell, patti | 100.00 | 276.53 |
| 01/06/23 | Disbursements | 81 Legal Postage | 0063164 | Chk #176754 | 1/4/2023, Pitney Bow, Inv. Date: 01/04/2023 | -10.20 | 266.33 |
| 01/06/23 | Disbursements | 80 Postage | 0063164 | Chk #176754 | 1/4/2023, Pitney Bow, Inv. Date: 01/04/2023 | -9.00 | 257.33 |
| 01/06/23 | Disbursements | 84 Library | 0063164 | Chk #176755 | 12/20/2022, DOC: 523, Inv. Date: 12/20/2022 | -6.22 | 251.11 |
| 01/06/23 | Disbursements | 84 Library | 0063164 | Chk #176755 | 1/6/2023, DOC: 523 F, Inv. Date: 01/06/2023 | -32.20 | 218.91 |
| 01/09/23 | Payroll | 20 Payroll Adjustment | 0091164 | | P/R month of 122022 | 13.00 | 231.91 |
| 01/19/23 | Disbursements | 81 Legal Postage | 0193164 | Chk #176975 | 1/13/2023, Pitney Bo, Inv. Date: 01/13/2023 | -.81 | 231.10 |
| 01/27/23 | Mail Room | 16 GTL | 027200 | 21433977884070 | Horrell, Lawrence | 100.00 | 331.10 |
| 01/31/23 | Mail Room | 16 GTL | 031200 | 21438002106787 | Horrell, Lawrence | 100.00 | 431.10 |
| 01/31/23 | Disbursements | 80 Postage | 0313164 | Chk #177180 | 1/25/2023, Pitney Bo, Inv. Date: 01/25/2023 | -2.46 | 428.64 |
| 01/31/23 | Disbursements | 84 Library | 0313164 | Chk #177181 | 1/30/2023, DOC: 523, Inv. Date: 01/30/2023 | -7.00 | 421.64 |
| 02/01/23 | Point of Sale | 60 Commissary | 0327182 | 886392 | Commissary | -263.78 | 157.86 |
| 02/01/23 | Point of Sale | 60 Commissary | 0327182 | 886393 | Commissary | -1.52 | 156.34 |
| 02/07/23 | Mail Room | 16 GTL | 038200 | 21444607828131 | horrell, patti | 100.00 | 256.34 |
| 02/08/23 | Payroll | 20 Payroll Adjustment | 0391164 | | P/R month of 1 2023 | 13.00 | 269.34 |
| 02/22/23 | Mail Room | 16 GTL | 053200 | 21458252520997 | horrell, patti | 150.00 | 419.34 |
| 02/22/23 | Mail Room | 16 GTL | 053200 | 21458214455460 | Horrell, Lawrence | 50.00 | 469.34 |
| 02/22/23 | Point of Sale | 60 Commissary | 0537182 | 888119 | Commissary | -262.29 | 207.05 |
| 02/22/23 | Point of Sale | 60 Commissary | 0537182 | 888120 | Commissary | -1.02 | 206.03 |
| 03/01/23 | Disbursements | 88 Subscription To Magazine | 0603164 | Chk #177659 | 3/1/2023, Autabuy, Inv. Date: 03/01/2023 | -24.95 | 181.08 |
| 03/02/23 | Disbursements | 80 Postage | 0613186 | Chk #177698 | 2/17/2023, Pitney Bo, Inv. Date: 02/17/2023 | -3.90 | 177.18 |

Date: 5/8/2023
Time: 2:46pm

**Hill Correctional Center
Trust Fund**

Inmate Transaction Statement

Page 2

REPORT CRITERIA - Date: 11/08/2022 thru End; Inmate: K58809; Active Status Only ? : No; Print Restrictions ? : Yes;
Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print Balance
Errors Only ? : No

Inmate: K58809 Horrell, Phillip L.

Housing Unit: HIL-R3-B -12

| Date | Source | Transaction Type | Batch | Reference # | Description | Amount | Balance |
|----------|---------------|-----------------------|---------|---------------------|----------------------------------|-------------------|---------|
| 03/02/23 | Disbursements | 84 Library | | 0613186 Chk #177699 | 2/24/2023, DOC: 523, 02/24/2023 | Inv. Date: -23.84 | 153.34 |
| 03/02/23 | Disbursements | 84 Library | | 0613186 Chk #177699 | 2/28/2023, DOC: 523, 02/28/2023 | Inv. Date: -48.20 | 105.14 |
| 03/07/23 | Mail Room | 16 GTL | 066200 | 21466171989923 | horrell, patti | 100.00 | 205.14 |
| 03/07/23 | Payroll | 20 Payroll Adjustment | 0661164 | | P/R month of 2 2023 | 12.32 | 217.46 |
| 03/08/23 | Mail Room | 16 GTL | 067200 | 21466247682339 | Horrell, Lawrence | 300.00 | 517.46 |
| 03/08/23 | Mail Room | 16 GTL | 067200 | 21466247740451 | Horrell, Lawrence | 200.00 | 717.46 |
| 03/16/23 | Point of Sale | 60 Commissary | 0757176 | 889529 | Commissary | -339.87 | 377.59 |
| 03/16/23 | Point of Sale | 60 Commissary | 0757176 | 889530 | Commissary | -1.02 | 376.57 |
| 04/04/23 | Mail Room | 16 GTL | 094200 | 21506592053157 | Horrell, Lawrence | 100.00 | 476.57 |
| 04/05/23 | Mail Room | 16 GTL | 095200 | 21506727552803 | horrell, patti | 100.00 | 576.57 |
| 04/05/23 | Disbursements | 81 Legal Postage | | 0953164 Chk #178238 | 3/31/2023, Pitney Bo, 03/31/2023 | Inv. Date: -10.75 | 565.82 |
| 04/05/23 | Disbursements | 81 Legal Postage | | 0953164 Chk #178238 | 3/31/2023, Pitney Bo, 03/31/2023 | Inv. Date: -9.55 | 556.27 |
| 04/05/23 | Disbursements | 81 Legal Postage | | 0953164 Chk #178238 | 3/31/2023, Pitney Bo, 03/31/2023 | Inv. Date: -9.55 | 546.72 |
| 04/05/23 | Disbursements | 81 Legal Postage | | 0953164 Chk #178238 | 3/31/2023, Pitney Bo, 03/31/2023 | Inv. Date: -10.05 | 536.67 |
| 04/05/23 | Disbursements | 81 Legal Postage | | 0953164 Chk #178238 | 4/3/2023, Pitney Bow, 04/03/2023 | Inv. Date: -3.66 | 533.01 |
| 04/05/23 | Disbursements | 81 Legal Postage | | 0953164 Chk #178238 | 4/3/2023, Pitney Bow, 04/03/2023 | Inv. Date: -2.70 | 530.31 |
| 04/05/23 | Disbursements | 80 Postage | | 0953164 Chk #178238 | 4/3/2023, Pitney Bow, 04/03/2023 | Inv. Date: -4.15 | 526.16 |
| 04/11/23 | Payroll | 20 Payroll Adjustment | 1011164 | | P/R month of 3 2023 | 31.52 | 557.68 |
| 04/14/23 | Mail Room | 16 GTL | 104200 | 21507171621030 | horrell, patti | 25.00 | 582.68 |
| 04/17/23 | Disbursements | 81 Legal Postage | | 1073164 Chk #178404 | 4/6/2023, Pitney Bow, 04/06/2023 | Inv. Date: -9.55 | 573.13 |
| 04/17/23 | Disbursements | 84 Library | | 1073164 Chk #178405 | 4/7/2023, DOC: 523 F, 04/07/2023 | Inv. Date: -12.40 | 560.73 |
| 04/28/23 | Disbursements | 81 Legal Postage | | 1183164 Chk #178637 | 4/26/2023, Pitney Bo, 04/26/2023 | Inv. Date: -17.10 | 543.63 |
| 04/28/23 | Disbursements | 81 Legal Postage | | 1183164 Chk #178637 | 4/26/2023, Pitney Bo, 04/26/2023 | Inv. Date: -.84 | 542.79 |
| 04/28/23 | Disbursements | 81 Legal Postage | | 1183164 Chk #178637 | 4/26/2023, Pitney Bo, 04/26/2023 | Inv. Date: -2.70 | 540.09 |
| 04/28/23 | Disbursements | 81 Legal Postage | | 1183164 Chk #178637 | 4/26/2023, Pitney Bo, 04/26/2023 | Inv. Date: -2.70 | 537.39 |
| 04/28/23 | Disbursements | 81 Legal Postage | | 1183164 Chk #178637 | 4/26/2023, Pitney Bo, 04/26/2023 | Inv. Date: -2.70 | 534.69 |
| 04/28/23 | Disbursements | 80 Postage | | 1183164 Chk #178637 | 4/26/2023, Pitney Bo, 04/26/2023 | Inv. Date: -2.70 | 531.99 |
| 05/01/23 | Mail Room | 16 GTL | 121200 | 21535396904229 | Horrell, Lawrence | 200.00 | 731.99 |
| 05/05/23 | Mail Room | 16 GTL | 125200 | 21542990657955 | horrell, patti | 100.00 | 831.99 |

Date: 5/8/2023

Time: 2:46pm

d_list_inmate_trans_statement_composite

**Hill Correctional Center
Trust Fund**

Inmate Transaction Statement

Page 3

REPORT CRITERIA - Date: 11/08/2022 thru End; Inmate: K58809; Active Status Only ? : No; Print Restrictions ? : Yes; Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print Balance Errors Only ? : No

Inmate: K58809 Horrell, Phillip L.

Housing Unit: HIL-R3-B -12

| | |
|--------------------------------------|---------------|
| Total Inmate Funds: | 831.99 |
| Less Funds Held For Orders: | .00 |
| Less Funds Restricted: | <u>160.00</u> |
| Funds Available: | 671.99 |
| Total Furloughs: | .00 |
| Total Voluntary Restitutions: | .00 |

RESTRICTIONS

| Invoice Date | Invoice Number | Type | Description | Vendor | Amount |
|----------------------------|-----------------------|-------------|--------------------|--|-----------------|
| 05/01/2023 | 5/1/2023 | Disb | Legal Postage | 12781 Pitney Bowes Bank Inc Reserve Acco | \$22.80 |
| 05/01/2023 | 5/1/2023 | Disb | Legal Postage. | 12781 Pitney Bowes Bank Inc Reserve Acco | \$4.14 |
| 05/02/2023 | 5/2/2023 | Disb | Legal Postage | 12781 Pitney Bowes Bank Inc Reserve Acco | \$0.24 |
| 05/02/2023 | 5/2/2023 | Disb | Library | 99999 DOC: 523 Fund Inmate Reimburseme | \$64.46 |
| 05/02/2023 | 5/2/2023 | Disb | Library | 99999 DOC: 523 Fund Inmate Reimburseme | \$68.36 |
| Total Restrictions: | | | | | \$160.00 |

State of Illinois - Department of Corrections

Counseling Summary

| | | | |
|--------------------|---------------------|-----------------|---|
| IDOC # | K58809 | Counseling Date | 05/08/23 14:48:08:893 |
| Offender Name | HORRELL, PHILLIP L. | Type | Collateral |
| Current Admit Date | 05/01/2014 | Method | Other |
| MSR Date | | Location | HIL ADMINISTRATION BUILDING |
| HSE/GAL/CELL | R3-B -12 | Staff | NAVAR GUERRERO, YOLANDA, Account Technician I |

two six month trust fund statementsa and completed certificates sent.