

22-7779

ORIGINAL

Supreme Court, U.S.
FILED

MAY 26 2023

OFFICE OF THE CLERK

IN THE SUPREME COURT OF THE UNITED STATES

ZOHN WANG KUB YANG,

Petitioner,

v.

Case No. _____

DANIEL CROMWELL,

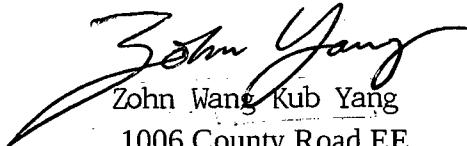
Respondent.

**MOTION TO PROCEED ON CERTIORARI WITHOUT PREPAYING THE
FILING FEE**

Petitioner Zohn Wang Kub Yang, as his own counsel, hereby respectfully moves the Court for an order granting authorization to proceed on certiorari without prepaying the filing fee in this case. Based upon his attached sworn affidavit, the Petitioner is requesting the Court to treat this sworn affidavit as good cause for granting his request to proceed on certiorari without prepaying the filing fee in this matter.

Dated and signed this 26th day of May, 2023.

Respectfully Submitted,



Zohn Wang Kub Yang

1006 County Road EE

P.O. Box 0925

Redgranite, Wisconsin 54970-0925

Tel: 920-566-2600

Petitioner, *Pro se*

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF WISCONSIN

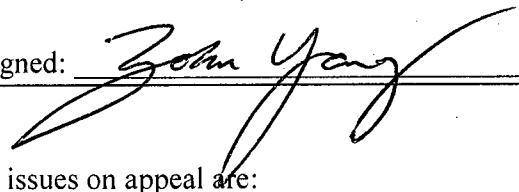
ZOHN WANG KUB YANG)
Plaintiff)
v.)
DAN CROMWELL) Case No. 21-3277
Defendant)
)

**AFFIDAVIT ACCOMPANYING MOTION
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS**

Affidavit in Support of Motion

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed:



Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: May 26, 2023

My issues on appeal are:

Fifth Amendment Rights were violated because law enforcement used interrogation tactics that indicate my freedom of movement was restricted in custody at a hospital to which the statements I made to law enforcement without Miranda warning should have been suppressed.

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 Bureau of Correctional Enterprise	\$90	\$N/A	\$90	\$N/A
Self-employment NONE	\$0	\$0	\$0	\$0
Income from real property (such as rental income)	\$0	\$0	\$0	\$0
Interest and dividends NONE	\$0	\$0	\$0	\$0
Gifts NONE	\$0	\$0	\$0	\$0
Alimony NONE	\$0	\$0	\$0	\$0
Child support NONE	\$0	\$0	\$0	\$0
Retirement (such as social security, pensions, annuities, insurance)	\$0	\$0	\$0	\$0
Disability (such as social security, insurance payments)	\$0	\$0	\$0	\$0
Unemployment payments	\$0	\$0	\$0	\$0
Public-assistance (such as welfare)	\$0	\$0	\$0	\$0
Other (specify):NONE	\$0	\$0	\$0	\$0
Total monthly income:	\$90	\$0	\$90	\$0

2. List your 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
Bureau of Correctional Enterprise	1006 County Road EE	12/2022-present	\$90
			\$0
			\$0

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	N/A	N/A	\$0
N/A	N/A	N/A	\$0
N/A	N/A	N/A	\$0

4. How much cash do you and your spouse have? \$ 0

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
Redgranite Correctional Institution	Inmate Trust Account	\$ 190	\$ N/A
		\$	\$0
		\$	\$0

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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

Home N/A	Other real estate N/A	Motor vehicle #1 N/A
(Value) \$ 0	(Value) \$ 0	(Value) \$ 0
N/A	N/A	Make and year: N/A
		Model: N/A
		Registration #: N/A

Motor vehicle #2 N/A	Other assets N/A	Other assets N/A
(Value) \$0	(Value) \$0	(Value) \$0
Make and year: N/A	N/A	N/A
Model: N/A	N/A	N/A
Registration #: N/A	N/A	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	\$0	\$0
	\$0	\$0
	\$0	\$0
	\$0	\$0

7. *State the persons who rely on you or your spouse for support.*

Name [or, if under 18, initials only]	Relationship	Age
N/A	N/A	N/A
N/A	N/A	N/A
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, semiannually, or annually to show the monthly rate.*

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$0	\$0
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)	\$0	\$0
Home maintenance (repairs and upkeep) N/A	\$0	\$0
Food INMATE CANTEEN PURCHASE	\$50	\$0
Clothing N/A	\$0	\$0
Laundry and dry-cleaning LAUANDRY CARD	\$2.64	\$0
Medical and dental expenses N/A	\$0	\$0
Transportation (not including motor vehicle payments)	\$0	\$0
Recreation, entertainment, newspapers, magazines, etc.	\$0	\$0
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's: N/A	\$0	\$0
Life: N/A	\$0	\$0
Health: N/A	\$0	\$0
Motor vehicle: N/A	\$0	\$0
Other: N/A	\$0	\$0
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$0	\$0
Installment payments N/A		
Motor Vehicle: N/A	\$0	\$0
Credit card (name): N/A	\$0	\$0
Department store (name): N/A	\$0	\$0
Other: N/A	\$0	\$0
Alimony, maintenance, and support paid to others	\$0	\$0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$0	\$0
Other (specify): N/A	\$0	\$0
Total monthly expenses:	\$52.64	\$0

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 spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit? Yes No

If yes, how much? \$ 0

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

I have no other information to offer the court at this particular time.

12. State the city and state of your legal residence.

Your daytime phone number: (920) 566-2600

Your age: 48 Your years of schooling: 16

WI DOC
REPORT NO. IBSR923 - AM

Trust Account Activity Statement

PAGE: 1 of 2

PROCESSED: 06/02/2023 10:44

REQUESTOR: Anna Wepking

From 12/2/2022 To 6/2/2023
Redgranite Correctional Institution

DOC #: 650500
NAME: YANG, ZOHN WANG KUB
DOB: 01/01/1975
LOCATION: RGCI_ESU-E252_U

START BALANCE: 615.61
END BALANCE: 233.92
AVERAGE MONTHLY BALANCE: 303.53
AVERAGE MONTHLY DEPOSITS: 64.64
NUMBER OF DAYS IN PERIOD: 183

ACCOUNT ACTIVITY

DATE	INST	TRANSACTION DESCRIPTION	RECEIPT/INFO	AMOUNT	DEPOSIT
12/08/2022	RGCI	Record Contracted Canteen Purchase		(39.42)	576.19
12/14/2022	RGCI	Record Contracted Canteen Purchase		(42.63)	
12/15/2022	RGCI	BSI Worker 001 11/27/22-12/10/22 Reg:40@\$0.00		0.00	YES
12/15/2022	RGCI	Laundry Worker 3 102 11/27/22-12/10/22 Reg:32@\$0.26 Prm:8@\$0.28		10.56	YES
12/15/2022	RGCI	Withhold for Inmate Release Account		(1.06)	
12/19/2022	RGCI	Withhold Photofund Charge OD		(6.00)	
12/20/2022	RGCI	Transfer from Inmate to Special Acct., RGCI Inmate Donations		(70.00)	
12/21/2022	RGCI	Transfer from Inmate to Special Acct., RGCI Bakery Card \$5.00 (T)		(5.00)	
12/22/2022	RGCI	Record Contracted Canteen Purchase		(46.59)	
12/23/2022	RGCI	Withhold Photofund Charge OD		(4.00)	
12/28/2022	RGCI	Record Contracted Canteen Purchase		(41.40)	
12/29/2022	RGCI	BSI Worker 001 12/11/22-12/24/22 Reg:80@\$0.00		0.00	YES
12/29/2022	RGCI	BSI Payroll Deposit		15.46	YES
12/29/2022	RGCI	Withhold for Inmate Release Account		(1.55)	
12/30/2022	RGCI	Record Canteen Return (Contracted Canteen)	System Generated by CISJ099.	1.45	
01/03/2023	RGCI	Withhold Photocopies Charge OD		(0.45)	
01/03/2023	RGCI	Withhold Postage Charge OD		(1.20)	
01/03/2023	RGCI	Withhold Postage Charge OD		(1.20)	
01/05/2023	RGCI	Record Contracted Canteen Purchase		(22.34)	
01/05/2023	RGCI	Record Canteen Return (Contracted Canteen)	System Generated by CISJ099.	0.81	
01/05/2023	RGCI	Transfer from Inmate to Special Acct., RGCI Laundry Pass		(2.64)	
01/11/2023	RGCI	Record Contracted Canteen Purchase		(6.72)	
01/12/2023	RGCI	BSI Worker 001 12/25/22-1/07/23 Reg:80@\$0.00		0.00	YES
01/12/2023	RGCI	BSI Payroll Deposit		11.32	YES
01/12/2023	RGCI	Withhold for Inmate Release Account		(1.13)	
01/26/2023	RGCI	BSI Worker 001 1/08/23-1/21/23 Reg:72@\$0.00		0.00	YES
01/26/2023	RGCI	BSI Payroll Deposit		23.60	YES
01/26/2023	RGCI	Withhold for Inmate Release Account		(2.36)	
02/01/2023	RGCI	Record Contracted Canteen Purchase		(9.65)	
02/09/2023	RGCI	BSI Worker 001 1/22/23-2/04/23 Reg:80@\$0.00		0.00	YES
02/09/2023	RGCI	BSI Payroll Deposit		32.56	YES
02/09/2023	RGCI	Withhold for Inmate Release Account		(3.26)	
02/14/2023	RGCI	Transfer from Inmate to Special Acct., RGCI Laundry Pass		(2.64)	
02/15/2023	RGCI	Withhold Photocopies Charge OD		(0.45)	
02/17/2023	RGCI	Withhold Photocopies Charge OD		(0.45)	
02/17/2023	RGCI	Withhold Postage Charge OD		(1.26)	
02/17/2023	RGCI	Withhold Postage Charge OD		(1.26)	
02/20/2023	RGCI	Withhold Postage Charge OD		(1.26)	
02/20/2023	RGCI	Withhold Postage Charge OD		(1.26)	
02/23/2023	RGCI	Record Contracted Canteen Purchase		(48.25)	
02/23/2023	RGCI	BSI Worker 001 2/05/23-2/18/23 Reg:80@\$0.00		0.00	YES
02/23/2023	RGCI	BSI Payroll Deposit		32.11	YES

WI DOC

Trust Account Activity Statement

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REPORT NO. IBSR923 - AM

PROCESSED: 06/02/2023 10:44

REQUESTOR: Anna Wepking

02/23/2023	RGCI	Withhold for Inmate Release Account	(3.21)
03/09/2023	RGCI	Record Contracted Canteen Purchase	(38.75)
03/09/2023	RGCI	BSI Worker 001 2/19/23-3/04/23 Reg:80@\$0.00	0.00 YES
03/09/2023	RGCI	BSI Payroll Deposit	30.57 YES
03/09/2023	RGCI	Withhold for Inmate Release Account	(3.06)
03/09/2023	RGCI	Record Canteen Return (Contracted Canteen)	4.10
03/13/2023	RGCI	Withhold Photocopies Charge OD	(0.30)
03/13/2023	RGCI	Withhold Photocopies Charge OD	(3.45)
03/13/2023	RGCI	Withhold Postage Charge OD	(2.22)
03/16/2023	RGCI	Record Contracted Canteen Purchase	(32.52)
03/16/2023	RGCI	Transfer from Inmate to Special Acct., RGCI Laundry Pass	(2.64)
03/20/2023	RGCI	Transfer from Inmate to Special Acct., RGCI Phone	(10.00)
03/23/2023	RGCI	BSI Worker 001 3/05/23-3/18/23 Reg:80@\$0.00	0.00 YES
03/23/2023	RGCI	BSI Payroll Deposit	42.45 YES
03/23/2023	RGCI	Withhold for Inmate Release Account	(4.25)
03/23/2023	RGCI	Record Canteen Return (Contracted Canteen)	1.16
04/05/2023	RGCI	Inmate Regular Check, VIOLET YANG	CK0000704088
04/06/2023	RGCI	Record Contracted Canteen Purchase	(42.70)
04/06/2023	RGCI	BSI Worker 001 3/19/23-4/01/23 Reg:80@\$0.00	0.00 YES
04/06/2023	RGCI	BSI Payroll Deposit	38.34 YES
04/06/2023	RGCI	Withhold for Inmate Release Account	(3.83)
04/13/2023	RGCI	BSI Payroll Deposit	50.40 YES
04/13/2023	RGCI	Withhold for Inmate Release Account	(5.04)
04/20/2023	RGCI	Record Contracted Canteen Purchase	(30.30)
04/20/2023	RGCI	BSI Worker 001 4/02/23-4/15/23 Reg:80@\$0.00	0.00 YES
04/20/2023	RGCI	BSI Payroll Deposit	4.00 YES
04/20/2023	RGCI	Withhold for Inmate Release Account	(0.40)
04/27/2023	RGCI	Record Contracted Canteen Purchase	(16.16)
04/27/2023	RGCI	Transfer from Inmate to Special Acct., RGCI Laundry Pass	(2.64)
05/01/2023	RGCI	Transfer from Inmate to Special Acct., RCI Phone	(10.00)
05/04/2023	RGCI	Record Contracted Canteen Purchase	(35.31)
05/04/2023	RGCI	BSI Worker 001 4/16/23-4/29/23 Reg:80@\$0.00	0.00 YES
05/04/2023	RGCI	BSI Payroll Deposit	51.78 YES
05/04/2023	RGCI	Withhold for Inmate Release Account	(5.18)
05/04/2023	RGCI	Record Canteen Return (Contracted Canteen)	1.98
05/11/2023	RGCI	Record Contracted Canteen Purchase	(37.04)
05/18/2023	RGCI	BSI Worker 001 4/30/23-5/13/23 Reg:80@\$0.00	0.00 YES
05/18/2023	RGCI	BSI Payroll Deposit	51.12 YES
05/18/2023	RGCI	Withhold for Inmate Release Account	(5.11)
05/25/2023	RGCI	Record Contracted Canteen Purchase	(16.00)
06/01/2023	RGCI	BSI Worker 001 5/14/23-5/27/23 Reg:80@\$0.00	0.00 YES
06/01/2023	RGCI	BSI Payroll Deposit	58.20 YES
06/01/2023	RGCI	Withhold for Inmate Release Account	(5.82)
06/01/2023	RGCI	Withhold Photocopies Charge OD	(2.70)
06/01/2023	RGCI	Withhold Photocopies Charge OD	(9.60)