

23-5018 **ORIGINAL**

IN THE SUPREME COURT OF THE UNITED STATES

RICHARD PATRICK SPAULDING - PETITIONER

VS.

STATE OF OKLAHOMA- RESPONDENT

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioner, Pro Se, asks leave to file the attached Petition For A Writ Of Certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner was previously granted leave to proceed *in forma pauperis* in the following lower Courts:

1. District Court Of Tulsa County, Oklahoma; and
2. Oklahoma Court of Criminal Appeals
3. United States District Court For the Northern District of Oklahoma

Petitioner's 12-month institutional account statement and Affidavit or Declaration in support of this motion are attached hereto.

Richard P Spaulding, Pm Se

Richard P Spaulding #797250
OSR G2-112
1700 East First Street
Granite, OK 73547

(580) 480-3700 (Prison's #)

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

I, RICHARD SPAULDING, 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.
 I AM DIVORCED/NOT MARRIED.

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>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>PRISON GANG PAY</u>	\$ <u>14.45</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>14.45</u>	\$ <u>0</u>	\$ <u>14.45</u>	\$ <u>0</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
PRISON KITCHEN	1701 E. FIRST ST GRANITE, OK	2-9-22 TO CURRENT DATE	\$ <u>0</u>
			\$ <u> </u>
			\$ <u> </u>

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.) I AM DIVORCED UNMARRIED

Employer	Address	Dates of Employment	Gross monthly pay
N/A	N/A	N/A	\$ <u>0</u>
			\$ <u> </u>
			\$ <u> </u>

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.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
PRISON MANDATORY SAVINGS (SEE ATTACHED INSTITUTIONAL ACCOUNT STATEMENT)	\$ 158.96	\$ N/A <u>0</u>
	\$ <u> </u>	\$ <u> </u>
	\$ <u> </u>	\$ <u> </u>

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 0

Other real estate
Value 0

Motor Vehicle #1
Year, make & model N/A
Value 0

Motor Vehicle #2
Year, make & model N/A
Value 0

Other assets
Description NONE
Value 0

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	\$ <u>Ø</u>	\$ <u>N/A - Ø</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
None	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.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>Ø</u>	\$ <u>Ø</u>
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)	\$ <u>Ø</u>	\$ <u>Ø</u>
Home maintenance (repairs and upkeep)	\$ <u>Ø</u>	\$ <u>Ø</u>
Food	\$ <u>Ø</u>	\$ <u>Ø</u>
Clothing	\$ <u>Ø</u>	\$ <u>Ø</u>
Laundry and dry-cleaning	\$ <u>2-3\$ / MONTH</u>	\$ <u>Ø</u>
Medical and dental expenses	\$ <u>5-10\$ / MONTH</u>	\$ <u>Ø</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>0</u>
Insurance (not deducted from wages or included in mortgage payments) <u>NONE</u>		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>0</u>
Life	\$ <u>0</u>	\$ <u>0</u>
Health	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments) <u>NONE</u>		
(specify): <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
Installment payments <u>NONE OTHER THAN PRISON LEGAL COSTS</u>		
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s)	\$ <u>0</u>	\$ <u>0</u>
Department store(s)	\$ <u>0</u>	\$ <u>0</u>
Other: <u>PRISON LEGAL FEES-COPIES & POSTAGE, COLLECTED FROM ANY ACCOUNT BALANCE</u>	\$ <u>14.45</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>0</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>PRISON LEGAL LIB + CASE COSTS (ESTIMATED BY AVG/MO)</u>	\$ <u>30</u>	\$ <u>0</u>
Total monthly expenses:	\$ <u>30-44.45</u>	\$ <u>0</u>

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? 0

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

N/A - NONE

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? NONE

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

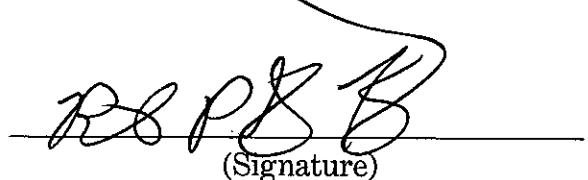
N/A / NONE

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

I RECEIVE ONLY PRISON GANG PAY (\$14.45/MO) AS INCOME, 100% OF WHICH IS SEIZED (POST-MANDATORY SAVINGS-REDUCTION) BY DEPT OF CORRECTIONS TO PAY TOWARDS MY ARREARS OF LAW LIBRARY & MEDICAL COSTS.

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

Executed on: JUNE 22, 2023


(Signature)

Offender#
0797250

Offender/Group Name
SPAULDING, RICHARD

Institution
OSR

Unit
UNIT G

Cell/Bed
POD 2-CELL 112-
SER 100

Transaction List

Transaction Date	Transaction Type	Source Document #	Receipt#/Check#	Sender Name	Amount	Account Balance
06/01/2022	BEGINNING BALANCE					\$124.87
06/03/2022	LEGAL COPAY	2 COPIES/2			(\$0.59)	\$124.28
06/06/2022	OUTSIDE SOURCE	3677349	169358	ERHBC	\$9.80	\$134.08
06/06/2022	LEGAL COPAY	2 COPIES/2			(\$1.37)	\$132.71
06/06/2022	LEGAL COPAY	COPY, 5 PRINTING			(\$1.50)	\$131.21
06/07/2022	SALES	163			(\$6.60)	\$124.61
06/10/2022	LEGAL COPAY	COPIES,POSTAGE,			(\$0.33)	\$124.28
06/30/2022	GANG PAY				\$14.45	\$138.73
06/30/2022	LEGAL COPAY	COPIES,POSTAGE,			(\$11.56)	\$127.17
07/31/2022	GANG PAY				\$14.45	\$141.62
07/31/2022	LEGAL COPAY	COPIES,POSTAGE,			(\$11.56)	\$130.06
08/31/2022	GANG PAY				\$14.45	\$144.51
08/31/2022	LEGAL COPAY	COPIES,POSTAGE,			(\$11.56)	\$132.95
09/30/2022	GANG PAY				\$14.45	\$147.40
09/30/2022	PRESCRIPTION GLASSES	OSR-MEDICAL			(\$11.56)	\$135.84
10/31/2022	GANG PAY				\$14.45	\$150.29
10/31/2022	MEDICAL COPAY	02913716			(\$4.00)	\$146.29
10/31/2022	PRESCRIPTION GLASSES	OSR-MEDICAL			(\$7.56)	\$138.73
11/30/2022	GANG PAY				\$14.45	\$153.18
11/30/2022	INSTITUTIONAL DEBT	3 ADDTL STATE			(\$0.75)	\$152.43
11/30/2022	PRESCRIPTION GLASSES	OSR-MEDICAL			(\$5.88)	\$146.55
11/30/2022	PRESCRIPTION COPAY	02887747			(\$4.00)	\$142.55
11/30/2022	PRESCRIPTION COPAY	02913716			(\$0.93)	\$141.62
12/31/2022	GANG PAY				\$14.45	\$156.07
12/31/2022	PRESCRIPTION COPAY	02913716			(\$3.07)	\$153.00
12/31/2022	LEGAL COPAY	COPIES,POSTAGE,			(\$8.49)	\$144.51
01/31/2023	GANG PAY				\$14.45	\$158.96
01/31/2023	LEGAL COPAY	COPIES,POSTAGE,			(\$11.56)	\$147.40
02/28/2023	GANG PAY				\$14.45	\$161.85
02/28/2023	LEGAL COPAY	COPIES,POSTAGE,			(\$11.56)	\$150.29
03/31/2023	GANG PAY				\$14.45	\$164.74
03/31/2023	LEGAL COPAY	COPIES,POSTAGE,			(\$11.56)	\$153.18
04/30/2023	GANG PAY				\$14.45	\$167.63
04/30/2023	LEGAL COPAY	COPIES,POSTAGE,			(\$11.56)	\$156.07
05/31/2023	GANG PAY				\$14.45	\$170.52
05/31/2023	LEGAL COPAY	COPIES,POSTAGE,			(\$11.56)	\$158.96

Summary Balances

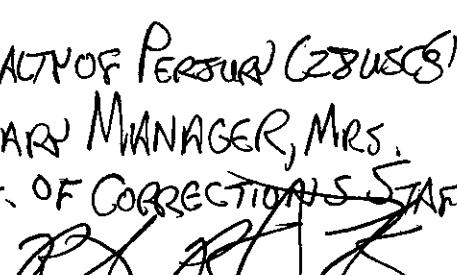
Available Balance	Savings Balance	Debt Encumbrance	Other Encumbrance	Instruments	Administrative Holds	Account Balance
\$0.00	\$158.96	\$0.00	\$0.00	\$0.00	\$0.00	\$158.96

INMATE: RICHARD PATRICK SPAULDING

OKDOC# 797250

PRI SONER'S 12-MONTH INSTITUTIONAL ACCOUNT DETAIL

PERIOD: JUNE 1, 2022 THRU JUNE 1, 2023

I, RICHARD PATRICK SPAULDING, declare on penalty of perjury (28 USC §1746) that
Report was given to me by Law Library Manager, Mrs.
HALEY HAMAKER (SPP) (AN OKLA. DEPT. OF CORRECTIONS STAFF
MEMBER) on JUNE 15, 2023. 

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

RICHARD PATRICK SPAULDING - PETITIONER, PRO SE
vs.

STATE OF OKLAHOMA - RESPONDENT

MOTION FOR LEAVE TO FILE PETITION FOR A WRIT OF CERTIORARI
WITH 2 APPENDICES HAVING PORTIONS NOT IN COMPLIANCE

THE PETITIONER, PRO SE, HEREBY RESPECTFULLY MOVES THIS COURT FOR
LEAVE TO FILE HIS PETITION FOR WRIT OF CERTIORARI WITH PAGES
WITHIN SOME APPENDICES (DETAILED BELOW), WHICH ARE TAKEN
FROM PORTIONS OF PREVIOUS LOWER COURT PROCEEDINGS.
THE DEVIATIONS FROM SUPREME COURT RULES 33 AND 34
MAY BE SUMMARIZED AS:

- (1) SOME PORTIONS OF THE DOCUMENTS IN THE U.S. DISTRICT
COURT (NORTHERN DIST. OKLA., #21-CV-0160-JFH-CDL)
APPEAR TO HAVE 10 OR 11 POINT TEXT IN FONTS OTHER THAN
THE "CENTURY" FAMILY.
- (2) SOME PAGES WERE SENT TO ME DURING APPEAL IN LEGAL
PAGE SIZE ($8\frac{1}{2}$ " x 14") AND REQUIRED FOLDING OR CUTOFF,

THE PETITIONER'S REQUEST IS ROOTED IN 2 FUNDAMENTAL HARSHIPS, ONGOING AS OF THIS DATE: (1) THE PETITIONER IS INDIGENT AND HAS NO MEANS TO PAY FOR THE REPRINTING OF ALL DOCUMENTS VIOLATING THE FORMATTING RULES; AND (2) THE PRISON IS CURRENTLY LOCKED DOWN, MAKING IT UNLIKELY THAT THE TIME + RESOURCES IN THE PRISON LAW LIBRARY WILL BE AVAILABLE BEFORE I MAIL ALL OF THIS PETITION AND ASSOCIATED INSTRUMENTS IN 6 DAYS, ON MONDAY JUNE 26, 2023.

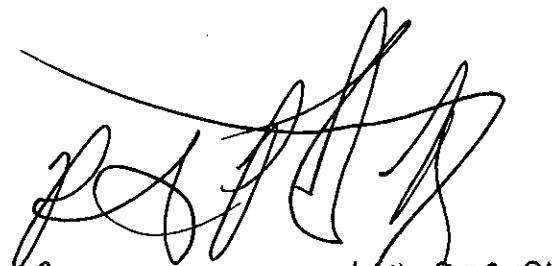
PETITIONER MAKES THIS REQUEST AND THESE FILINGS IN GOOD FAITH. IF REJECTED WITH 60 DAYS LEAVE BY THE COURT'S CLERK, AS CONTEMPLATED IN SUPREME COURT RULE 14 (5), PETITIONER BELIEVES HE CAN OBTAIN COPIES OF THE CASE DOCUMENTS IN GREATER OR FULL COMPLIANCE THAN PRESENT ITEMS.

THE FOLLOWING PAGE(S) AND/OR PAGE RANGES ARE SUSPECTED TO BE OUT OF COMPLIANCE:

ISSUE	APPENDIX	CONTENTS	PAGE(S)
FONT-SIZE	A	ORDERS/OPINIONS BELOW	A3-A8
FONT-SIZE PG SIZE	B	PLEADINGS	
FONT-SIZE (PRINTED BY LAW LIBRARY)	D	STATUTES/RULES	

JUNE 23, 2023

(2)


RICHARD P. SPAULDING #1797258
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GRANGE, OK 73547