

COPY

No. 23-5442

ORIGINAL

FILED
AUG 16 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE SUPREME COURT OF THE UNITED STATES

Wayne Johnson — PETITIONER (Your Name)

VS.

State of California — 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):

The California Supreme Court case number: S276932, S279161

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.

  
(Signature)

RECEIVED
AUG 23 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Wayne Johnson, 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, semi annually, or annually to show the monthly rate. Petitioner does not have a spouse.

Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during past 12 months			Amount expected the next month	
	You	Spouse		You	Spouse
Employment	\$	\$	N/A	\$	\$
Self-employment	\$18000	\$	N/A	\$ 1500	\$ N/A
Income from real property (such as rental income)	\$ 0	\$		\$ 0	\$
Interest and dividends	\$ 0	\$		\$ 0	\$
Gifts	\$ 0	\$		\$ 0	\$
Alimony	\$ 0	\$		\$ 0	\$
Child Support	\$ 0	\$		\$ 0	\$
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$		\$ 0	\$
Disability (such as social security, insurance payments)	\$ 0	\$		\$ 0	\$
Unemployment payments	\$ 0	\$		\$ 0	\$
Public-assistance (such as welfare)	\$ 0	\$		\$ 0	\$

Other (food stamps):	\$1500	\$	\$0	\$
Total monthly income:	\$1500	\$	\$1500	\$

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
Self		Past Two Years	\$1500
			\$

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? \$150. I do not have a spouse.

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
Checking	\$1500	\$ 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	N/A	Other real estate	N/A
Description		Value	
Value			
Motor Vehicle # 1		Motor Vehicle #2	
Year, make & model	2001Kawasaki ZR&S	Year, make & model	1993 MB
Value	\$250	Value	\$ ? Restoring after
			being Wrecked/ Salvaged

Other assets None  
 Description  
 Value

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you money

No one owes me \$ \$

Amount owed to you  
None

Amount owed to your or your spouse  
money (No Spouse)

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 "JohnSmith").

Name	Relationship	Age
None		

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. (No 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)	\$400	\$ N/A

Are real estate taxes included?  Yes  No

Is property insurance included?  Yes  No

Utilities (electricity, heating fuel,  
water, sewer, and telephone) \$150 \$

Home maintenance (repairs and upkeep)	\$100	\$
Food	\$300	\$
Clothing	\$15	\$
Laundry and dry-cleaning	\$25	\$
Medical and dental expenses	\$0	\$

Transportation	\$100	\$
(not including motor vehicle payments)	\$	\$
Recreation, entertainment, newspapers, magazines, etc.	\$5	\$

Insurance (not deducted from wages or included in mortgage payments)

Homeowner's or renter's	\$	\$
Life	\$	\$
Health	\$	\$
Motor Vehicle	\$100	\$
Other:	\$	\$
Taxes (not deducted from wages or included in mortgage payments)		
(Self-Employment Taxes):	\$ 400	\$
Installment payments		
Motor Vehicle	\$0	\$
Credit card(s)	\$0	\$
Department store(s)	\$0	\$
Other:		
Alimony, maintenance, and support paid to others	\$0	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$0	\$
Other (specify):	\$0	\$
Total monthly expenses:	\$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 [x] 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 [x] No

If yes, how much? I do not have the funds to pay an attorney  
 If yes, state the attorney's name, address, and telephone number:

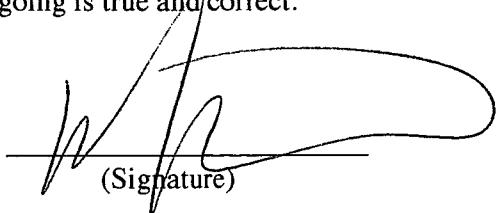
11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form? [ ] Yes [x] No

If yes, how much?  
 [x] I do not have the funds to pay an attorney  
 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: I recently had open heart surgery and I am in recovery. I do not have a reliable source of income.

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

Executed on: August 15, 2023



A handwritten signature in black ink, consisting of a series of fluid, overlapping loops and lines, is written over a horizontal line. Below the signature, the word "(Signature)" is printed in a small, sans-serif font.