

23-5585

No. \_\_\_\_\_

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED  
AUG 09 2023  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

SCOTT DAVID CREECH

VS.

OHIO-RESPONDENTS

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner asks leave to file the attached petition for 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*.

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

Petitioner's affidavit or declaration in support of this motion is attached hereto.

*Scott David Creech*  
SCOTT DAVID CREECH

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, Scott David Creech, 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>6.00</u>	\$ <u>N/A</u>	\$ <u>6.00</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Gifts	\$ <u>350.00</u>	\$ <u>N/A</u>	\$ <u>350.00</u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Child Support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u> <i>Hopefully</i>	\$ <u>N/A</u>
Total monthly income:	\$ <u>356.00</u>	\$ <u>N/A</u>	\$ <u>356.00</u>	\$ <u>N/A</u>

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
<u>No One</u>	\$ <u>0</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").

Name	Relationship	Age
<u>No one</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.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>0</u>	\$ <u>N/A</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>N/A</u>
Food	\$ <u>330.00</u>	\$ <u>N/A</u>
Clothing	\$ <u>0</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>5.00</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>10.00</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.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>D.D.R.C.</u>	<u>C.C.I. Prisoner</u> <u>Chillicothe, Ohio</u> <u>45601</u>	<u>since 2008</u>	<u>\$ 61.00</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.)

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

4. How much cash do you and your spouse have? \$ Presently Approx. \$50.00  
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
<u>Inmate trust/Commissary</u>	<u>\$ 50.00</u> <u>\$</u> <u>\$</u>	<u>\$ N/A</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.

Home  
Value 0

Other real estate  
Value 0

Motor Vehicle #1  
Year, make & model NONE  
Value 0

Motor Vehicle #2  
Year, make & model None  
Value 0

Other assets  
Description None  
Value 0

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ N/A
Life	\$ 0	\$ N/A
Health	\$ 0	\$ N/A
Motor Vehicle	\$ 0	\$ N/A
Other: N/A	\$ N/A	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): N/A	\$ 0	\$ N/A
Installment payments		
Motor Vehicle	\$ 0	\$ N/A
Credit card(s)	\$ 0	\$ N/A
Department store(s)	\$ 0	\$ N/A
Other: N/A	\$ 0	\$ N/A
Alimony, maintenance, and support paid to others	\$ 0	\$ N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ N/A
Other (specify): Legal Mail, Coping	\$ 10.00	\$ N/A
<b>Total monthly expenses:</b>	<b>\$ 355.00</b>	<b>\$ N/A</b>

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? N/A

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? N/A

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.

No Money

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

Executed on: 31 August, 2023

Scott David Cress  
(Signature)

Description	Beginning	Ending	Amount
Resident Id: A588782			
Last Name: CREECH			
First Name: SCOTT			
Middle Name: D			
Total Deposits	2/4/2023 12:00:00 AM	8/4/2023 12:00:00 AM	\$2,116.00
Average Monthly Deposits	2/4/2023 12:00:00 AM	8/4/2023 12:00:00 AM	\$352.67
Total 1st Day Balances	2/4/2023 12:00:00 AM	8/4/2023 12:00:00 AM	\$502.88
Average 1st Day Balances	2/4/2023 12:00:00 AM	8/4/2023 12:00:00 AM	\$83.81
Balance as of			
Current Balance	8/4/2023 12:00:00 AM		\$218.76
	8/4/2023 12:00:00 AM		\$218.76
FFF Initial Payment as of		8/4/2023 12:00:00 AM	\$70.53
Total Pay (State, OPI, Commission) Deposits	2/4/2023 12:00:00 AM	8/4/2023 12:00:00 AM	\$36.00
Average Total Pay Monthly Deposits	2/4/2023 12:00:00 AM	8/4/2023 12:00:00 AM	\$6.00
Total Commissary Expenditures	2/4/2023 12:00:00 AM	8/4/2023 12:00:00 AM	\$1,910.12
I certify this document is a true and accurate account of the inmate's financial record on file in my office.			
Signature:			
James C. Patterson			
James C. Patterson			
Chillicothe Correctional Institution			
15802 St. Rt. 104 North			
Chillicothe OH 45601			

This financial information was given to the inmate prior to it

being filed; the information may have been changed after

certification and before filing.

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08/03/2023

## Chillicothe Correctional Institution

## Inmate Demand Statement

Inmate Name: CREECH, SCOTT D

Number: A588782

Lock Location: CCI,D,D1,B,,118

Date Range: 02/03/2023 Through 08/04/2023

## Beginning Account Balances:

	Saving	Debt	Payable		Saving	Debt	Payable
Death Benefits	\$3.26	\$0.00	\$0.00	Death Benefits	\$0.16	\$0.00	\$0.00
Pos Exemption	\$0.00	\$0.00	\$0.00	Pos Exemption	\$15.00	\$0.00	\$0.00
Inmate's Perso	\$170.74	\$0.00	\$0.00	Inmate's Personal	\$203.60	\$0.00	\$0.00
<b>Begin Totals</b>	<b>\$174.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>End Totals</b>	<b>\$218.76</b>	<b>\$0.00</b>	<b>\$0.00</b>

Transaction Date / Inst.	Transaction Amount	Description	Comment	Saving Balance	Debt Balance	Payable Balance
02/03/2023	\$6.00	State Pay	State Pay	\$180.00	\$0.00	\$0.00
CCI						
02/07/2023	\$5.00	Vaccine Incentive Exempt from Collections	COVID-19 Booster	\$185.00	\$0.00	\$0.00
CCI						
02/21/2023	(\$173.85)	Commissary Sale	Ticket Number 878028	\$11.15	\$0.00	\$0.00
CCI						
02/26/2023	\$100.00	OffConnect Kiosk Deposit	21465742777379/Creech, Thomas	\$111.15	\$0.00	\$0.00
CCI						
03/01/2023	(\$15.00)	Inmate's Personal Account	POS Exemption Transfer	\$96.15	\$0.00	\$0.00
CCI						
03/01/2023	\$15.00	Pos Exemption	POS Exemption Transfer	\$111.15	\$0.00	\$0.00
CCI						
03/03/2023	\$6.00	State Pay	State Pay	\$117.15	\$0.00	\$0.00
CCI						
03/06/2023	\$200.00	OffConnect Kiosk Deposit	21466149975973/Creech, Thomas	\$317.15	\$0.00	\$0.00
CCI						
03/07/2023	(\$190.08)	Commissary Sale	Ticket Number 879957	\$127.07	\$0.00	\$0.00
CCI						
03/15/2023	\$100.00	OffConnect Kiosk Deposit	21466610976293/Creech, Thomas	\$227.07	\$0.00	\$0.00
CCI						
03/16/2023	(\$10.00)	Copy Charges	COPIES/LIB	\$217.07	\$0.00	\$0.00
CCI						
03/17/2023	(\$2.70)	Postage Charges (USPS)	CLERK OF THE U.S. SUPREME COURT	\$214.37	\$0.00	\$0.00
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CCI						
03/17/2023	(\$2.70) Postage Charges (USPS)	MS. MINDY ANN WORLY, AG'S OFFICE	\$211.67	\$0.00	\$0.00	
CCI						
03/21/2023	(\$194.27) Commissary Sale	Ticket Number 881909	\$17.40	\$0.00	\$0.00	
CCI						
03/21/2023	(\$4.10) Commissary Sale	Ticket Number 881911	\$13.30	\$0.00	\$0.00	
CCI						
03/29/2023	(\$12.50) Commissary Sale	Ticket Number 883167	\$0.80	\$0.00	\$0.00	
CCI						
03/31/2023	\$100.00 OffConnect Kiosk Deposit	21506501278757/Creech, Thomas	\$100.80	\$0.00	\$0.00	
CCI						
04/01/2023	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$85.80	\$0.00	\$0.00	
CCI						
04/01/2023	\$15.00 Pos Exemption	POS Exemption Transfer	\$100.80	\$0.00	\$0.00	
CCI						
04/04/2023	\$200.00 OffConnect Kiosk Deposit	21506692452132/Creech, Thomas	\$300.80	\$0.00	\$0.00	
CCI						
04/06/2023	(\$177.55) Commissary Sale	Ticket Number 884272	\$123.25	\$0.00	\$0.00	
CCI						
04/07/2023	\$6.00 State Pay	State Pay	\$129.25	\$0.00	\$0.00	
CCI						
04/17/2023	\$50.00 OffConnect Kiosk Deposit	21507347887139/Creech, Thomas	\$179.25	\$0.00	\$0.00	
CCI						
04/20/2023	(\$1.98) Postage Charges (USPS)	US DISTRICT COURT	\$177.27	\$0.00	\$0.00	
CCI						
04/20/2023	(\$1.98) Postage Charges (USPS)	OAG	\$175.29	\$0.00	\$0.00	
CCI						
04/20/2023	(\$161.47) Commissary Sale	Ticket Number 886480	\$13.82	\$0.00	\$0.00	
CCI						
04/28/2023	\$100.00 OffConnect Kiosk Deposit	21529353483046/Creech, Thomas	\$113.82	\$0.00	\$0.00	
CCI						
05/01/2023	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$98.82	\$0.00	\$0.00	
CCI						
05/01/2023	\$15.00 Pos Exemption	POS Exemption Transfer	\$113.82	\$0.00	\$0.00	
CCI						
05/03/2023	\$200.00 OffConnect Kiosk Deposit	21542934666147/Creech, Thomas	\$313.82	\$0.00	\$0.00	

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CCI					
05/04/2023	(\$186.04) Commissary Sale	Ticket Number 887918	\$127.78	\$0.00	\$0.00
CCI					
05/05/2023	\$6.00 State Pay	State Pay	\$133.78	\$0.00	\$0.00
CCI					
05/17/2023	\$125.00 OffConnect Kiosk Deposit	21543390232227/Creech, Thomas	\$258.78	\$0.00	\$0.00
CCI					
05/18/2023	(\$190.86) Commissary Sale	Ticket Number 889956	\$67.92	\$0.00	\$0.00
CCI					
06/01/2023	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$52.92	\$0.00	\$0.00
CCI					
06/01/2023	\$15.00 Pos Exemption	POS Exemption Transfer	\$67.92	\$0.00	\$0.00
CCI					
06/01/2023	(\$10.00) Withdrawal to Y.E.A.	CK 7564	\$57.92	\$0.00	\$0.00
CCI					
06/01/2023	(\$25.31) Withdrawal to WALKENHORST	CK 7566	\$32.61	\$0.00	\$0.00
CCI					
06/02/2023	\$200.00 OffConnect Kiosk Deposit	21562292552614/Creech, Thomas	\$232.61	\$0.00	\$0.00
CCI					
06/02/2023	(\$6.45) Postage Charges (USPS)	BEULAH SHERMAN	\$226.16	\$0.00	\$0.00
CCI					
06/06/2023	(\$171.84) Commissary Sale	Ticket Number 891816	\$54.32	\$0.00	\$0.00
CCI					
06/09/2023	\$6.00 State Pay	State Pay	\$60.32	\$0.00	\$0.00
CCI					
06/19/2023	\$100.00 OffConnect Kiosk Deposit	21562827149731/Creech, Thomas	\$160.32	\$0.00	\$0.00
CCI					
06/21/2023	(\$158.39) Commissary Sale	Ticket Number 893747	\$1.93	\$0.00	\$0.00
CCI					
06/28/2023	\$200.00 OffConnect Kiosk Deposit	21588962894372/Creech, Thomas/Failed Monthly Check, Funds Placed in Hold Account.	\$201.93	\$0.00	\$0.00
CCI					
06/28/2023	(\$100.00) Visitor Hold	Move up to \$400 AR Limit.	\$101.93	\$0.00	\$0.00
CCI					
06/28/2023	\$100.00 Inmate's Personal Account	Move up to \$400 AR Limit.	\$201.93	\$0.00	\$0.00
CCI					

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06/29/2023	(\$11.50) Commissary Sale	Ticket Number 895466	\$190.43	\$0.00	\$0.00
CCI					
07/01/2023	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$175.43	\$0.00	\$0.00
CCI					
07/01/2023	\$15.00 Pos Exemption	POS Exemption Transfer	\$190.43	\$0.00	\$0.00
CCI					
07/06/2023	(\$90.27) Commissary Sale	Ticket Number 895791	\$100.16	\$0.00	\$0.00
CCI					
07/07/2023	\$6.00 State Pay	State Pay	\$106.16	\$0.00	\$0.00
CCI					
07/11/2023	\$200.00 OffConnect Kiosk Deposit	21606339727267/Creech, Thomas	\$306.16	\$0.00	\$0.00
CCI					
07/17/2023	(\$100.00) Withdrawal to THOMAS CREECH	CK 8009/RET. VISITOR HOLD/FMC	\$206.16	\$0.00	\$0.00
CCI					
07/20/2023	(\$187.40) Commissary Sale	Ticket Number 897926	\$18.76	\$0.00	\$0.00
CCI					
08/01/2023	(\$15.00) Inmate's Personal Account	POS Exemption Transfer	\$3.76	\$0.00	\$0.00
CCI					
08/01/2023	\$15.00 Pos Exemption	POS Exemption Transfer	\$18.76	\$0.00	\$0.00
CCI					
08/03/2023	\$200.00 OffConnect Kiosk Deposit	21644686308645/Creech, Thomas	\$218.76	\$0.00	\$0.00
CCI					

Outstanding Debts:

Start Date	Description	Case	Agency	County	Total Debt	Paid to Date	Balance Owed
05/30/2017	Court Costs	15APE1100	FRANKLIN CO. CLERK OF COURTS		(\$53.00)	\$53.00	\$0.00
02/17/2016	Court Costs	15CVH777	Franklin County Civil Division Clerk of Courts		(\$179.00)	\$179.00	\$0.00
01/30/2019	Federal Filing Fee Initial Partial	2:19-CV-104	Clerk, U.S. District Court		(\$95.50)	\$95.50	\$0.00
01/30/2019	Federal Filing Fee Remaining Balance	2:19-CV-104	Clerk, U.S. District Court		(\$254.50)	\$254.50	\$0.00
<b>Total Outstanding Case Balances</b>					<b>\$0.00</b>		

Outstanding Holds:

Start Date	Description	Case	Agency	County	Total Debt	Paid to Date	Balance Owed
					<b>\$0.00</b>		

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Outstanding Investments / EPC:

Investment Type	Investment Type Description	Invest Company	Company Description	Balance
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