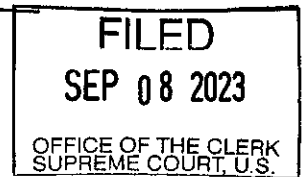


23-5601

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

In RE: Michael K Carter
[Incarcerated]



Petition for writ of
PROHIBITION

Motion for leave to proceed in forma pauperis

The petitioner, Michael Kenny Carter, requests leave to file the attached petition for a writ of prohibition without prepayment of costs and to proceed in forma pauperis. As for grounds, Mr Carter asserts that Counsel has previously be appointed pursuant to the Criminal Justice Act.

09-07-23

Submitted by and for
Michael K Carter
#32308171
F.C.1 Fort Dix
P.O. Box 2000
Joint Base MDL, NJ 08640

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

I, Michael Kenny Carter, 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>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>N/A/O</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</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
F.C. Williamsburg	P.O. Box 340, Saffers, SC	07-05-22 to 10-8-22	\$ 25.00
NONE	NONE	NONE	\$ 0
NONE	NONE	NONE	\$ 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.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
NONE	\$ 0	\$ 0
NONE	\$ 0	\$ 0
NONE	\$ 0	\$ 0

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

☐ Home
Value NONE

☐ Other real estate
Value NONE

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

☐ Motor Vehicle #2
Year, make & model NONE
Value NONE

☐ Other assets
Description NONE
Value NONE

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

\$ 0

\$ 0

NONE

\$ 0

\$ 0

NONE

\$ 0

\$ 0

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

Ingrid Carter

Mother

66

Phineas Carter

Brother

44

NONE

NONE

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)

\$ 0

\$ 0

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

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

\$ 0

\$ 0

Home maintenance (repairs and upkeep)

\$ 0

\$ 0

Food

\$ 0

\$ 0

Clothing

\$ 0

\$ 0

Laundry and dry-cleaning

\$ 0

\$ 0

Medical and dental expenses

\$ 0

\$ 0

	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)		
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>0</u>	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
Installment payments		
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>NONE</u>	\$ <u>0</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>F.R.P-Monthly</u>	\$ <u>50.00</u>	\$ <u>0</u>
Total monthly expenses:	\$ <u>50.00</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? NONE

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? NONE

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.

My family comes from poverty and is taking care of my little girls, I have to pay 50.00 a month in F.R.P, INFLATION and with COVID-19 and B.O.P is operating in red, there's no jobs.

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

Executed on: 09-10-23/10 September 10 20 23
09-10-23

Michael Kenny Carter
(Signature)


Inmate Inquiry



Inmate Reg #: 32308171 Current Institution: Fort Dix FCI
Inmate Name: CARTER, MICHAEL Housing Unit: FTD-A-C
Report Date: 09/06/2023 Living Quarters: A03-156L
Report Time: 11:50:08 AM

[General Information](#) | [Account Balances](#) | [Commissary History](#) | [Commissary Restrictions](#) | [Comments](#)

General Information

Administrative Hold Indicator: No
No Power of Attorney: No
Never Waive NSF Fee: No
Max Allowed Deduction %: 100
PIN: 8606
PAC #: 018632495
Revalidation Date: 25th
FRP Participation Status: Refused
Arrived From: PHL
Transferred To:
Account Creation Date: 5/4/2018
Local Account Activation Date: 11/30/2022 3:19:35 AM
Sort Codes: 
Last Account Update: 9/4/2023 8:08:58 PM
Account Status: Active
Phone Balance: \$0.00

Pre-Release Plan Information

Target Pre-Release Account Balance: \$1,000.00
Pre-Release Deduction %: 0%
Income Categories to Deduct From: ☒ Payroll ☒ Outside Source Funds

FRP Plan Information

FRP Plan Type	Expected Amount	Expected Rate
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Account Balances

Account Balance:	\$67.60
Pre-Release Balance:	\$0.00
Debt Encumbrance:	\$0.00
SPO Encumbrance:	\$0.00
Other Encumbrances:	\$0.00
Outstanding Negotiable Instruments:	\$0.00
Administrative Hold Balance:	\$0.00
Available Balance:	\$67.60
National 6 Months Deposits:	\$798.66

National 6 Months Withdrawals: \$821.12
Available Funds to be considered for IFRP Payments: \$316.04
National 6 Months Avg Daily Balance: \$28.29
Local Max. Balance - Prev. 30 Days: \$149.49
Average Balance - Prev. 30 Days: \$18.31

Commissary History

Purchases

Validation Period Purchases: \$0.00
YTD Purchases: \$1,447.90
Last Sales Date: 8/22/2023 5:36:53 PM

SPO Information

SPO's this Month: 0
SPO \$ this Quarter: \$0.00

Spending Limit Info

Spending Limit Override: No
Weekly Revalidation: No
Bi-Weekly Revalidation: No
Spending Limit: \$25.00
Expended Spending Limit: \$0.00
Remaining Spending Limit: \$25.00

Commissary Restrictions

Spending Limit Restrictions

Restricted Spending Limit: \$0.00
Restricted Expended Amount: \$0.00
Restricted Remaining Spending Limit: \$0.00
Restriction Start Date: N/A
Restriction End Date: N/A

Item Restrictions

List Name	List Type	Start Date	End Date	Active
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Comments

Comments:

All Transactions



Inmate Reg #: 32308171
 Inmate Name: CARTER, MICHAEL
 Report Date: 09/06/2023
 Report Time: 11:50:32 AM

Current Institution: Fort Dix FCI
 Housing Unit: FTD-A-C
 Living Quarters: A03-156L

Date/Time	Transaction Type	Amount	Ref#	Payment#	Balance
9/4/2023 8:08:58 PM	Pre-Release Transaction	\$0.00	33323247		
9/4/2023 8:08:58 PM	Western Union	\$50.00	33323247		\$67.60
9/1/2023 10:01:19 AM	TRUL Withdrawal	(\$2.00)	TL0901		\$17.60
8/27/2023 4:59:53 PM	TRUL Withdrawal	(\$2.00)	TL0827		\$19.60
8/27/2023 3:19:04 PM	TRUL Withdrawal	(\$2.00)	TL0827		\$21.60
8/22/2023 5:36:53 PM	Sales - Fingerprint	(\$26.40)	98		\$23.60
8/20/2023 10:08:45 PM	Pre-Release Transaction	\$0.00	33323232		
8/20/2023 10:08:45 PM	Western Union	\$50.00	33323232		\$50.00
8/10/2023 7:51:44 AM	FRP Monthly Pymt	(\$32.62)	YFRP0823		\$0.00
8/10/2023 7:50:59 AM	Pre-Release Transaction	\$0.00	YIPP0723		
8/10/2023 7:50:59 AM	Payroll - IPP	\$19.08	YIPP0723		\$32.62
8/8/2023 12:11:32 PM	Sales - Fingerprint	(\$135.95)	24		\$13.54
8/7/2023 4:08:15 PM	Pre-Release Transaction	\$0.00	33323219		
8/7/2023 4:08:15 PM	Western Union	\$100.00	33323219		\$149.49
7/26/2023 10:24:56 AM	TRUL Withdrawal	(\$5.00)	TL0726		\$49.49
7/25/2023 12:17:57 PM	Sales - Fingerprint	(\$36.40)	15		\$54.49
7/25/2023 8:28:28 AM	Phone Withdrawal	\$70.00	TFN0725		\$90.89
7/15/2023 10:59:41 AM	TRUL Withdrawal	(\$5.00)	TL0715		\$20.89
7/14/2023 9:50:24 AM	TRUL Withdrawal	(\$10.00)	TL0714		\$25.89
7/12/2023 3:23:26 PM	TRUL Withdrawal	(\$5.00)	TL0712		\$35.89
7/11/2023 12:14:14 PM	Sales - Fingerprint	(\$34.30)	46		\$40.89
7/11/2023 10:18:43 AM	TRUL Withdrawal	(\$10.00)	TL0711		\$75.19
7/11/2023 7:13:25 AM	Pre-Release Transaction	\$0.00	33323192		
7/11/2023 7:13:25 AM	Western Union	\$50.00	33323192		\$85.19
7/10/2023 12:48:27 PM	TRUL Withdrawal	(\$5.00)	TL0710		\$35.19
7/10/2023 6:26:19 AM	Pre-Release Transaction	\$0.00	YIPP0623		
7/10/2023 6:26:19 AM	Payroll - IPP	\$19.08	YIPP0623		\$40.19
7/8/2023 10:08:03 PM	TRUL Withdrawal	(\$2.00)	TL0708		\$21.11
7/7/2023 10:10:00 AM	TRUL Withdrawal	(\$5.00)	TL0707		\$23.11
7/7/2023 10:09:14 AM	TRUL Withdrawal	(\$2.00)	TL0707		\$28.11
7/7/2023 7:18:22 AM	Phone Withdrawal	(\$70.00)	TFN0707		\$30.11
7/1/2023 9:07:34 PM	Pre-Release Transaction	\$0.00	33323182		
7/1/2023 9:07:34 PM	Western Union	\$100.00	33323182		\$100.11
7/1/2023 7:20:48 AM	TRUL Withdrawal	(\$5.00)	TL0701		\$0.11
6/27/2023 5:37:28 PM	Sales - Fingerprint	(\$45.10)	129		\$5.11
6/26/2023 8:14:35 PM	Phone Withdrawal	\$4.00	TFN0626		\$50.21
6/21/2023 1:15:33 PM	Phone Withdrawal	(\$4.00)	TFN0621		\$46.21
6/17/2023 1:07:26 PM	Pre-Release Transaction	\$0.00	33323168		
6/17/2023 1:07:26 PM	Western Union	\$50.00	33323168		\$50.21
6/15/2023 2:14:23 PM	TRUL Withdrawal	(\$2.00)	TL0615		\$0.21
6/13/2023 5:35:50 PM	Sales - Fingerprint	(\$48.60)	87		\$2.21
6/12/2023 9:51:11 AM	TRUL Withdrawal	(\$5.00)	TL0612		\$50.81
6/9/2023 7:35:21 AM	Pre-Release Transaction	\$0.00	YIPP0523		
6/9/2023 7:35:21 AM	Payroll - IPP	\$5.25	YIPP0523		\$55.81
6/4/2023 7:08:46 PM	Pre-Release Transaction	\$0.00	33323155		
6/4/2023 7:08:46 PM	Western Union	\$50.00	33323155		\$50.56
5/31/2023 10:20:45 AM	TRUL Withdrawal	(\$5.00)	TL0531		\$0.56
5/30/2023 5:24:14 PM	Sales - Fingerprint	(\$47.10)	77		\$5.56
5/26/2023 4:07:34 PM	Pre-Release Transaction	\$0.00	33323146		
5/26/2023 4:07:34 PM	Western Union	\$50.00	33323146		\$52.66

All Transactions



Inmate Reg #: 32308171
Inmate Name: CARTER, MICHAEL
Report Date: 09/06/2023
Report Time: 11:50:45 AM

Current Institution: Fort Dix FCI
Housing Unit: FTD-A-C
Living Quarters: A03-156L

Date/Time	Transaction Type	Amount	Ref#	Payment#	Balance
5/16/2023 7:42:49 AM	TRUL Withdrawal	(\$5.00)	TL0516		\$2.66
5/10/2023 6:46:27 AM	Pre-Release Transaction	\$0.00	YIPP0423		
5/10/2023 6:46:27 AM	Payroll - IPP	\$5.25	YIPP0423		\$7.66
5/2/2023 5:55:18 PM	Sales - Fingerprint	(\$49.35)	69		\$2.41
5/1/2023 11:08:30 AM	Pre-Release Transaction	\$0.00	33323121		
5/1/2023 11:08:30 AM	Western Union	\$50.00	33323121		\$51.76
4/30/2023 11:29:12 AM	TRUL Withdrawal	(\$5.00)	TL0430		\$1.76
4/17/2023 8:18:19 AM	Govt Doc Required	(\$25.00)	2411	1249	\$6.76
4/17/2023 8:18:19 AM	BP 199 Request - Released	\$25.00	2411		
4/15/2023 7:56:11 PM	TRUL Withdrawal	(\$5.00)	TL0415		\$31.76
4/10/2023 6:52:27 AM	BP 199 Request	(\$25.00)	2411		
4/10/2023 6:49:14 AM	BP 199 Request - Released	\$25.00	2333		
4/8/2023 6:33:06 AM	TRUL Withdrawal	(\$2.00)	TL0408		\$36.76
4/4/2023 1:56:47 PM	Sales - Fingerprint	(\$19.15)	73		\$38.76
4/3/2023 1:01:42 PM	BP 199 Request	(\$25.00)	2333		
3/30/2023 11:04:14 AM	TRUL Withdrawal	(\$2.00)	TL0330		\$57.91
3/29/2023 11:51:52 AM	TRUL Withdrawal	(\$2.00)	TL0329		\$59.91
3/28/2023 3:07:13 PM	Pre-Release Transaction	\$0.00	33323087		
3/28/2023 3:07:13 PM	Western Union	\$50.00	33323087		\$61.91
3/28/2023 1:03:52 PM	TRUL Withdrawal	(\$5.00)	TL0328		\$11.91
3/27/2023 10:40:40 AM	TRUL Withdrawal	(\$2.00)	TL0327		\$16.91
3/22/2023 9:05:05 AM	TRUL Withdrawal	(\$2.00)	TL0322		\$18.91
3/14/2023 1:33:27 PM	TRUL Withdrawal	(\$15.00)	TL0314		\$20.91
3/13/2023 7:25:49 PM	TRUL Withdrawal	(\$15.00)	TL0313		\$35.91
3/13/2023 6:07:53 PM	Pre-Release Transaction	\$0.00	33323072		
3/13/2023 6:07:53 PM	Western Union	\$50.00	33323072		\$50.91
3/9/2023 7:23:39 AM	FRP Monthly Pymt	\$0.00	YFRP0323		\$0.91
3/7/2023 3:45:49 PM	TRUL Withdrawal	(\$2.00)	TL0307		\$0.91
3/7/2023 3:45:29 PM	TRUL Withdrawal	(\$2.00)	TL0307		\$2.91
3/7/2023 3:45:04 PM	TRUL Withdrawal	(\$10.00)	TL0307		\$4.91
3/7/2023 1:55:44 PM	Sales - Fingerprint	(\$175.15)	37		\$14.91
3/6/2023 3:08:29 PM	Pre-Release Transaction	\$0.00	33323065		
3/6/2023 3:08:29 PM	Western Union	\$100.00	33323065		\$190.06
3/3/2023 9:07:51 PM	Pre-Release Transaction	\$0.00	33323062		
3/3/2023 9:07:51 PM	Western Union	\$90.00	33323062		\$90.06
2/24/2023 2:23:38 PM	TRUL Withdrawal	(\$2.00)	TL0224		\$0.06
2/22/2023 1:34:49 PM	Sales - Fingerprint	(\$140.75)	39		\$2.06
2/21/2023 8:36:31 AM	TRUL Withdrawal	(\$2.00)	TL0221		\$142.81
2/19/2023 7:08:11 AM	Pre-Release Transaction	\$0.00	33323050		
2/19/2023 7:08:11 AM	Western Union	\$50.00	33323050		\$144.81
2/18/2023 6:36:00 AM	TRUL Withdrawal	(\$5.00)	TL0218		\$94.81
2/18/2023 6:19:01 AM	TRUL Withdrawal	(\$10.00)	TL0218		\$99.81
2/16/2023 7:07:24 PM	Pre-Release Transaction	\$0.00	33323047		
2/16/2023 7:07:24 PM	Western Union	\$100.00	33323047		\$109.81
2/15/2023 8:55:27 AM	TRUL Withdrawal	(\$2.00)	TL0215		\$9.81
2/10/2023 7:04:23 AM	TRUL Withdrawal	(\$2.00)	TL0210		\$11.81
2/10/2023 6:35:27 AM	TRUL Withdrawal	(\$5.00)	TL0210		\$13.81
2/9/2023 2:36:11 PM	TRUL Withdrawal	(\$5.00)	TL0209		\$18.81
2/9/2023 7:58:41 AM	FRP Monthly Pymt	(\$50.00)	YFRP0223		\$23.81
2/8/2023 9:40:18 AM	Pre-Release Transaction	\$50.00	TL022023		