

23-5601

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

IN RE: Michael K Carter  
[Incarcerated]

FILED  
SEP 08 2023

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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 been appointed pursuant to the Criminal Justice Act.

09-07-23

Submitted by and for  
Michael K Carter  
#32308171  
F.C.I. Fort Dix  
P.O. Box 2000  
Joint Base MD, 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.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
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/0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
<b>Total monthly income:</b>	\$ <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.I. Williamsburg	P.O. Box 340, Salters, 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
<u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
<u>NONE</u>	\$ <u>0</u>	\$ <u>0</u>
<u>NONE</u>	\$ <u>0</u>	\$ <u>0</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>Ingred Carter</u>	<u>Mother</u>	<u>66</u>
<u>Phineas Carter</u>	<u>Brother</u>	<u>44</u>
<u>NONE</u>	<u>NONE</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>0</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>0</u>	\$ <u>0</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>0</u>
Food	\$ <u>0</u>	\$ <u>0</u>
Clothing	\$ <u>0</u>	\$ <u>0</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>0</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>0</u>

	You	Your spouse
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	\$ 0	\$ 0
Life	\$ 0	\$ 0
Health	\$ 0	\$ 0
Motor Vehicle	\$ 0	\$ 0
Other: 0	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): None	\$ 0	\$ 0
Installment payments		
Motor Vehicle	\$ 0	\$ 0
Credit card(s)	\$ 0	\$ 0
Department store(s)	\$ 0	\$ 0
Other: None	\$ 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): F, R, P-Monthly	\$ 50.00	\$ 0
<b>Total monthly expenses:</b>	<b>\$ 50.00</b>	<b>\$ 0</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? 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, theres no jobs.

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

Executed on: 09-10-23/ September 10 2023  
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

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## Commissary History

### Purchases

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

### SPO Information

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

### Spending Limit Info

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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

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## Commissary Restrictions

### Spending Limit Restrictions

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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

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List Name	List Type	Start Date	End Date	Active
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## Comments

Comments:

# All Transactions



**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:** 11:50:32 AM

<u>Date/Time</u>	<u>Transaction Type</u>	<u>Amount</u>	<u>Ref#</u>	<u>Payment#</u>	<u>Balance</u>
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	<u>Sales - Fingerprint</u>	(\$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	<u>Sales - Fingerprint</u>	(\$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	<u>Sales - Fingerprint</u>	(\$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	<u>Sales - Fingerprint</u>	(\$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	<u>Sales - Fingerprint</u>	(\$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	<u>Sales - Fingerprint</u>	(\$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	<u>Sales - Fingerprint</u>	(\$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 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: 11:50:45 AM

<u>Date/Time</u>	<u>Transaction Type</u>	<u>Amount</u>	<u>Ref#</u>	<u>Payment#</u>	<u>Balance</u>
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	<u>Sales - Fingerprint</u>	(\$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		
4/4/2023 1:56:47 PM	<u>Sales - Fingerprint</u>	(\$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	<u>Sales - Fingerprint</u>	(\$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	<u>Sales - Fingerprint</u>	(\$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		

1 2 3 4