

AUG 08 2023

OFFICE OF THE CLERK

No.

23-5750

IN THE  
SUPREME COURT OF THE UNITED STATES

Todd Ferry

Pro-se

— PETITIONER

(Your Name)

VS.

Melissa Hainesworth, et al.,

— 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):  
US Dist. Court, West. Dist. of PA--December 17, 2021 (USMJ Pesto)

Court of Common Pleas Bedford County, May 21, 2019

☐ 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.

ORIGINAL

Todd Ferry (MT-7996)  
(Signature)

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

I, Todd Ferry, 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
In prison last 7 1/2 years				
Employment Prison labor	\$ <u>\$90.00</u>	\$ <u>Not married</u>	\$ <u>\$90.00</u>	\$ <u>Not married</u>
Self-employment	\$ <u>0</u>	\$ <u>Not married</u>	\$ <u>0</u>	\$ <u>Not married</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>Not married</u>	\$ <u>0</u>	\$ <u>Not married</u>
Interest and dividends	\$ <u>0</u>	\$ <u>Not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Gifts	\$ <u>0</u>	\$ <u>Not married</u>	\$ <u>0</u>	\$ <u>Not married</u>
Alimony	\$ <u>0</u>	\$ <u>Not married</u>	\$ <u>0</u>	\$ <u>Not married</u>
Child Support	\$ <u>0</u>	\$ <u>Not Married</u>	\$ <u>0</u>	\$ <u>Not married</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>Not married</u>	\$ <u>0</u>	\$ <u>Not married</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>Not married</u>	\$ <u>0</u>	\$ <u>Not married</u>
Unemployment payments	\$ <u>0</u>	\$ <u>Not married</u>	\$ <u>0</u>	\$ <u>Not married</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>Not married</u>	\$ <u>0</u>	\$ <u>Not married</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>Not married</u>	\$ <u>0</u>	\$ <u>Not married</u>
<b>Total monthly income:</b>	\$ <u>90.00</u>	\$ <u>NOT married</u>	\$ <u>90.00</u>	\$ <u>Not married</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
PA DOC	SCI Laurel Highlands	2021 - 2023	\$ \$90.00
	5706 Glades Pike		\$
	PO Box 631		\$
	Somerset, PA 15501-0631		

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
I am not married			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ I have about \$70.00 on prison account  
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

I am not married.

Financial institution	Type of account	Amount you have	Amount your spouse has
		\$	\$
		\$	\$
0	0	\$ 0	\$ Not married

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

<input type="checkbox"/> Home 0 Value N/A	<input type="checkbox"/> Other real estate Value 0
<input type="checkbox"/> Motor Vehicle #1 Year, make & model Own no car Value 0	<input type="checkbox"/> Motor Vehicle #2 Year, make & model Not married Value 0
<input type="checkbox"/> Other assets I have no assets. Been in prison 7 1/2 years Description 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
_____ 0 Not married	\$ _____ 0	\$ _____ Not married
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
_____ 0	_____ 0	_____ 0
_____	_____	_____
_____	_____	_____

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	\$ _____ Not married
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	N/A	
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ _____ 0	\$ _____ Not married
Home maintenance (repairs and upkeep)	\$ _____ 0	\$ _____ Not married
Food	\$ _____ \$60.00	\$ _____ Not married
Clothing	\$ _____ 0	\$ _____ Not married
Laundry and dry-cleaning	\$ _____ 0	\$ _____ Not married
Medical and dental expenses	\$ _____ 0	\$ _____ Not married

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0	\$ Not married
Recreation, entertainment, newspapers, magazines, etc. Cable Television	\$17.50	\$ NOT married
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	0	Not married
Life	0	Not married
Health	0	Not married
Motor Vehicle	0	Not married
Other: 0	0	Not married
Taxes (not deducted from wages or included in mortgage payments)		
(specify): 0	0	not married
Installment payments		
Motor Vehicle	0	Not married
Credit card(s)	0	Not married
Department store(s)	0	Not married
Other: 0	0	Not married
Alimony, maintenance, and support paid to others	0	Not married
Regular expenses for operation of business, profession, or farm (attach detailed statement)	0	Not married
Other (specify): 0	0	Not married
<b>Total monthly expenses:</b>	\$17.50	Not married

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

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? 0

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.

I've been in prison for 7 1/2 years. I make \$90.00 a month that barely covers basic necessities such as cosmetics, toothpaste, soap, shampoo, etc. My only big "want" expense is paying for cable--\$17.50 per month. The food has decreased in portions so I also buy supplemental food stuff from commissary.

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

Executed on: August 8<sup>th</sup>, 2023

Todd Ferry (MT-7996)  
(Signature)