

23-5803

ORIGINAL

SUPREME COURT OF THE UNITED STATES

ROBERT K. DECKER,

Petitioner-Plaintiff,

v.

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

EDWIN BAEZ, et al.,

Respondent-Defendant.  
\_\_\_\_\_ /

FILED

SEP 01 2023

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

NOTICE OF MOTION TO PROCEED INFORMA PAUPERIS  
AND FOR ASSIGNMENT OF COUNSEL

The petitioner, Robert K. Decker, hereinafter, "Mr. Decker" humbly moves this Honorable Court for a Court Order to proceed as an indigent, pursuant to Informa Pauperis, 28 U.S.C. §1915(a), on the following grounds:

1. The Plaintiff, Mr. Decker is presently incarcerated at the Marion, United States Penitentiary, in Marion, Illinois and he proceeding pro se until assigned counsel.
2. Mr. Decker has previously been granted informa pauperis status in the United States District Court, see docket number: 2:18-cv-00278-MJD-JMS. Mr. Decker has also been granted informa pauperis status in the Seventh Circuit Court of Appeals, see docket no. 21-2362.
3. Mr. Decker's financial status has not changed and he is still unable to pay any filing fee that may be associated with this case.
4. Mr. Decker does not own anything of any tangible value and he does not own any cars, jewelry, stocks, bonds, or bank accounts.

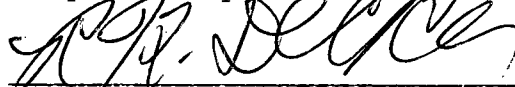
5. Mr. Decker is presently paying 100% of any monies that he may receive from family and friends to pay five cases that are pending in the United States District Court, Terre Haute, IN. Div., e.g. case Numbers: 2:23-00065-MPB-MG, 2:23-cv-0077-MPB-MG, 2:23-cv-0085-MPB-MG, 2:23-cv-0101-MPB-MG, and in the Seventh Circuit Court of Appeals for a case out of the Southern District of IL. 2:19-cv-00233-JPG.

6. Mr. Decker is moving this honorable Court to waive the filing fee that may be associated with this case and for assignment of counsel in the above entitled action on the grounds that he is unable to litigate this matter to its fullest potential that this matter may require.

WHEREFORE, Mr. Decker is moving this Honorable Court to waive the fees in the present case and to issue an Order granting Informa Pauperis in this matter and to assign counsel to represent him in this matter and for any other relief that this Honorable Court may deem fair and correct.

Dated: Sept. 2, 2023

Respectfully submitted,



Robert K. Decker #51719-074  
USP marion, PO Box 1000  
marion, IL 62959

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

I, Robert K. Decker # 51719-074, 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>          </u>	\$ <u>N/A</u>	\$ <u>17.00</u>	\$ <u>N/A</u>
Self-employment	\$ <u>17.00</u>	\$ <u>N/A</u>	\$ <u>17.00</u>	\$ <u>N/A</u>
<u>PRISON JOB</u> Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Gifts	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child Support	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): <u>Friends</u>	<u>undeter-</u> \$ <u>mined</u>	\$ <u>N/A</u>	\$ <u>unknown</u>	\$ <u>N/A</u>
<b>Total monthly income:</b>	\$ <u>17.00</u>	\$ <u>0</u>	\$ <u>17.00</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
<u>None</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>None</u>			\$ _____
			\$ _____
			\$ _____

4. How much cash do you and your spouse have? \$ \_\_\_\_\_  
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>None</u>	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____

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

☐ Home None  
Value \_\_\_\_\_

☐ Other real estate None  
Value \_\_\_\_\_

☐ Motor Vehicle #1 None  
Year, make & model \_\_\_\_\_  
Value \_\_\_\_\_

☐ Motor Vehicle #2 N/A  
Year, make & model \_\_\_\_\_  
Value \_\_\_\_\_

☐ 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 or your spouse money

Amount owed to you

Amount owed to your spouse

None

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

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").

None Name

Relationship

Age

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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)

\$ N/A

\$ N/A

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

\$ N/A

\$ N/A

Home maintenance (repairs and upkeep)

\$ N/A

\$ N/A

Food

\$ N/A

\$ N/A

Clothing

\$ N/A

\$ N/A

Laundry and dry-cleaning

\$ N/A

\$ N/A

Medical and dental expenses

\$ N/A

\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>None</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>None</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>None</u>	\$ <u>N/A</u>
Life	\$ <u>None</u>	\$ <u>N/A</u>
Health	\$ <u>None</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>None</u>	\$ <u>N/A</u>
Other: _____	\$ <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>N/A</u>
Credit card(s)	\$ <u>0</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
<b>Total monthly expenses:</b>	\$ <u>0</u>	\$ <u>N/A</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? \_\_\_\_\_

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? \_\_\_\_\_

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 am presently pay 100% of monies that I receive for five previously filed cases in the U.S. Dist. Co. Terre Haute, Ind. Div. and the 7th Circuit Court of appeals.*

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

Executed on: 9-29, 2023



(Signature)