

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

IN THE

# Supreme Court of the United States

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RAMIRO FELIX GONZALES,  
*Petitioner,*

*v.*

STATE OF TEXAS,  
*Respondent.*

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On Petition for a Writ of Certiorari to the  
Court of Criminal Appeals of Texas

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## **APPLICATION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

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*Counsel for Petitioner*

**CAPITAL CASE**

Petitioner RAMIRO FELIX GONZALES, by counsel, respectfully requests leave to file the accompanying Petition for Writ of Certiorari to the Court of Criminal Appeals of Texas without prepayment of costs and to proceed *in forma pauperis*. Petitioner is indigent and proceeded *in forma pauperis* at trial, on direct review, and in all prior state and federal post-conviction proceedings in this case. The order appointing counsel in the proceedings below is attached as Exhibit 1. *See* Sup. Ct. R. 39; *see also* Tex. Code Crim. Proc. art. 11.071, §6(b-1)(1) (providing for appointment of counsel when the Court of Criminal Appeals has authorized further proceedings on a subsequent application for writ of habeas corpus).

Respectfully submitted,

/s/ Raoul D. Schonemann  
Raoul D. Schonemann\*  
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\* *Counsel of Record*  
*Member, Supreme Court Bar*

# **EXHIBIT 1**

Order appointing counsel  
(February 7, 2023)

**FILED**  
HOUR 10:50 AM

MAR 23 2023

Cause No. WR-70,969-03  
Trial Court Cause No. 04-02-09091-CR

CINDY FOWLER  
Dist. Clerk, Medina County, Texas  
By [Signature] Deputy

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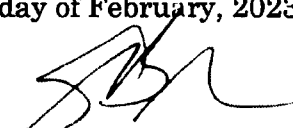
*Ex parte* § IN THE 454<sup>TH</sup> DISTRICT  
RAMIRO FELIX GONZALES, § OF  
Applicant § MEDINA COUNTY, TEXAS

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### ORDER APPOINTING COUNSEL

Before the Court is Applicant's *Motion for Appointment of Counsel* (filed on January 18, 2023). The State does not oppose the motion. After due consideration, the motion is granted and, pursuant to Tex. Code Crim. Proc. Art. 11.071, §6(b-1)(1), Raoul D. Schonemann is appointed as counsel for Applicant in these proceedings.

ORDERED AND SIGNED on this 14 day of February, 2023.

  
\_\_\_\_\_  
The Honorable Stephen Ables  
Presiding Judge  
454th District Court  
Medina County, Texas

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

I, Ramiro Gonzales, 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	\$ 0	\$ _____	\$ _____	\$ _____
Self-employment	\$ 0	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ 0	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ 0	\$ _____	\$ _____	\$ _____
Gifts	\$ 0	\$ _____	\$ _____	\$ _____
Alimony	\$ 0	\$ _____	\$ _____	\$ _____
Child Support	\$ 0	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ 0	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ 0	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ 0	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ 0	\$ _____	\$ _____	\$ _____
<b>Total monthly income:</b>	\$ 0	\$ _____	\$ _____	\$ _____

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
N/A			\$ _____
			\$ _____
			\$ _____

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
			\$ _____
			\$ _____
			\$ _____

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
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____

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

- |  |  |
|--|--|
| <input type="checkbox"/> Home<br>Value _____   | <input type="checkbox"/> Other real estate<br>Value _____                            |
| <input type="checkbox"/> Motor Vehicle #1<br>Year, make & model _____<br>Value _____ | <input type="checkbox"/> Motor Vehicle #2<br>Year, make & model _____<br>Value _____ |
| <input type="checkbox"/> Other assets<br>Description _____<br>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
<u>None</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>None</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> _____	\$ _____
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> _____	\$ _____
Home maintenance (repairs and upkeep)	\$ <u>0</u> _____	\$ _____
Food	\$ <u>0</u> _____	\$ _____
Clothing	\$ <u>0</u> _____	\$ _____
Laundry and dry-cleaning	\$ <u>0</u> _____	\$ _____
Medical and dental expenses	\$ <u>0</u> _____	\$ _____

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

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

Executed on: September 22, 2023

  
(Signature)

CSINIB01

TEXAS DEPARTMENT OF CRIMINAL JUSTICE  
TRUST FUND BANKING HISTORY

08/24/23  
09:43:21

TDCJ-NO 00999513 NAME- GONZALES,RAMIRO FELIX

CURRENT-BAL-

1.35

DATE	AMOUNT	UT	TP	RPT-PG	CD	DESCRIPTION	SENDEE
07/11/23	73.70		CM	TL32/IR	B4		0711230622
07/11/23	.00		CO	TL32/IN	I		0711230622
07/11/23	.00		WS	TL32/WS	WO	000000 002865	0711230615
07/20/23	40.00		WU	0201/15	B1	J0000159091552	001578 E SMYTHE
07/26/23	41.65		CM	TL32/IR	B4		0726230525
07/26/23	.00		CO	TL32/IN	I		0726230525
07/26/23	3.85		AC	TL34/CR	B1		0726230947
07/26/23	3.40		CM	TL34/IR	B4		0726230947
08/02/23	.00		CM	TL34/IR	B4		0802231137
08/02/23	.00		WP	2308/02	WO	004125 000000WP36847530	E EMMA
08/03/23	.00		WS	TL32/WS	WO	000000 004125	0803230608
08/08/23	50.00		WU	0220/10	B1	WD000036886112	001090 E SMYTHE
08/17/23	.00		CO	TL40/IN	I		0817231030
08/17/23	49.10		CM	TL40/IR	B4		0817231030

PF2-TOP PF4-TOP YEAR AGO PF7-UP PF8-DOWN PF9-TOP CURR MNTH ENTER-BOTTOM  
ENTER TDCJ NUMBER: OR SID NUMBER: