

No. 23-5953

IN THE  
SUPREME COURT OF THE UNITED STATES

MICHAEL MUTHIE MUNYWE — PETITIONER  
(Your Name)

VS.

Supreme Court, U.S.  
FILED  
OCT 23 2013  
OFFICE OF THE CLERK

JULIE DIER 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): U.S COURT OF APPEALS FOR THE NINTH CIRCUIT

U.S DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON

U.S DISTRICT COURT, EASTERN DISTRICT OF WASHINGTON

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: \_\_\_\_\_  
N/A, or

a copy of the order of appointment is appended.

CHPL

(Signature)

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

I, MICHAEL MUTHIE MUNYWE 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	\$ 25.00	\$ N/A	\$ 25.00	\$ N/A
Self-employment	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
Income from real property (such as rental income)	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
Interest and dividends	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
Gifts	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
Alimony	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
Child Support	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
Retirement (such as social security, pensions, annuities, insurance)	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
Disability (such as social security, insurance payments)	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
Unemployment payments	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
Public-assistance (such as welfare)	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
Other (specify): <u>N/A</u>	\$ 0.0	\$ N/A	\$ 0.0	\$ N/A
<b>Total monthly income:</b>	<b>\$ 25.00</b>	<b>\$ N/A</b>	<b>\$ 25.00</b>	<b>\$ N/A</b>

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
DEPARTMENT OF CORRECTIONS	1313 N 13 <sup>TH</sup> AVE WALLAWALLA, WA 99362	APRIL 1 2023	\$ 25.00
			\$
			\$

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	\$ N/A
			\$
			\$

4. How much cash do you and your spouse have? \$ 0.0

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
INMATE BANKING	SPENDABLE	\$ 2.00	\$ N/A
—	—	\$ —	\$ —
—	—	\$ —	\$ —

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

Home  
Value N/A

Other real estate  
Value N/A

Motor Vehicle #1  
Year, make & model N/A  
Value N/A

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

Other assets  
Description N/A  
Value N/A

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>NONE</u>	\$ <u>NONE</u>
	\$ <u>N/A</u>	\$ <u>N/A</u>
	\$ <u>NONE</u>	\$ <u>N/A</u>

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

Name	Relationship	Age
<u>JANE MUNYWE</u>	<u>MOTHER</u>	<u>61</u>
<u>ALICE MUNYWE</u>	<u>SISTER</u>	<u>25</u>
<u>STEPHEN MUNYWE</u>	<u>BROTHER</u>	<u>18</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>0.0</u>	\$ <u>N/A</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>200.00</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>100.00</u>	\$ <u>N/A</u>
Food	\$ <u>200.00</u>	\$ <u>N/A</u>
Clothing	\$ <u>100.00</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>50.00</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>50.00</u>	\$ <u>N/A</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 50.00	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 50.00	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0.0	\$ N/A
Life	\$ 0.0	\$ N/A
Health	\$ 10.00	\$ N/A
Motor Vehicle	\$ 0.0	\$ N/A
Other: N/A	\$ 0.0	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): N/A	\$ 0.0	\$ N/A
Installment payments		
Motor Vehicle	\$ 0.0	\$ N/A
Credit card(s)	\$ 0.0	\$ N/A
Department store(s)	\$ 0.0	\$ N/A
Other: N/A	\$ 0.0	\$ N/A
Alimony, maintenance, and support paid to others	\$ 0.0	\$ N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0.0	\$ N/A
Other (specify): N/A	\$ 0.0	\$ N/A
<b>Total monthly expenses:</b>	<b>\$ 810.00</b>	<b>\$ N/A</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? N/A

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? N/A

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 WAGES FROM THE DEPARTMENT OF CORRECTIONS IS SO LOW  
AND CANNOT BE ENOUGH TO PAY THE COSTS OF THIS CASE.

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

Executed on: October 21, 2023

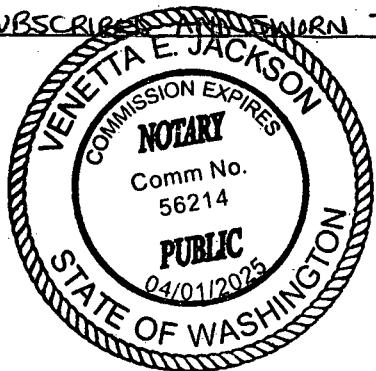
April 1, 2023

SUBSCRIBED AND SWORN TO BEFORE ME THIS

DAY OF OCTOBER 2023

SIGNED: Venetta E. Jackson  
(Signature)

NOTARY PUBLIC IN AND FOR THE  
STATE OF WASHINGTON  
RESIDING IN WALLA WALLA  
MY COMMISSION EXPIRES: April 1, 2025



10/09/2023

MLPERKINS

E02 [217-VB127U]

Department of Corrections  
WASHINGTON STATE PENITENTIARY

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OIRPLRAR

10.2.1.18

PLRA IN FORMA PAUPERIS STATUS REPORT  
FOR DEFINED PERIOD : 03/31/2023 TO 09/30/2023

DOC# :	0000421994	NAME :	MUNYWE MICHAEL	ADMIT DATE :	04/02/2020
DOB :	05/06/1982			ADMIT TIME :	13:24
AVERAGE MONTHLY RECEIPTS	20% OF RECEIPTS		AVERAGE SPENDABLE BALANCE		20% OF SPENDABLE
70.32	14.06		7.96		1.59