

23-6083 IN THE ORIGINAL

SUPREME COURT OF THE UNITED STATES OF AMERICA

Chalmer E. Detling II
Petitioner
v.

FILED
NOV 03 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

United States
Respondent

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.

The Petitioner has previously been granted leave to proceed in forma pauperis in the following court(s):

In the U.S. District Court for the Northern District of Georgia
Petitioner was found eligible to be represented by the Atlanta Federal
Defender program.

Petitioner's affidavit or declaration in support of this motion is
attached hereto.

This 13th day of November,
2023.

Chalmer Detling II

Chalmer E. Detling II
Inmate No. 71805-019
FPC Montgomery
Maxwell Airforce Base
Montgomery, AL 36112

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

I, Chalmer Detling Jr., 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>12</u> | \$ <u>13,600</u> | \$ <u>12</u> | \$ <u>14,400</u> |
| Self-employment | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Income from real property (such as rental income) | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Interest and dividends | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Gifts | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Alimony | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Child Support | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Retirement (such as social security, pensions, annuities, insurance) | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Disability (such as social security, insurance payments) | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Unemployment payments | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Public-assistance (such as welfare) | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Other (specify): _____ | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> | \$ <u>—</u> |
| Total monthly income: | \$ <u>12</u> | \$ <u>13,600</u> | \$ <u>12</u> | \$ <u>14,400</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 |
|--------------------------|---------|---------------------|-------------------|
| Federal Bureau of Prison | | 5/1/2022 | \$ 12 |
| | | | \$ |
| | | | \$ |

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 |
|--------------------------------------|-------------------|---------------------|-------------------|
| UHY Consulting | 960 Hammond Drive | 10/21/2023 | \$ 13,600 |
| American Challenger Development Corp | | 9/27/2022 | \$ 14,583 |
| | | | \$ |

4. How much cash do you and your spouse have? \$ 21,632. 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 |
|---|-----------------|------------------------|
| Everbank checking | \$ 25 | \$ 449 |
| Everbank Money Market | \$ 8 | \$ 27,150 |
| | \$ | \$ |

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

Home
Value 550,000

Other real estate
Value _____

Motor Vehicle #1
Year, make & model 2020 Honda Odyssey
Value 25,000

Motor Vehicle #2
Year, make & model Ford F150 2011
Value 11,000

Other assets
Description _____
Value _____

| | You | Your spouse |
|---|-----------------|------------------|
| Transportation (not including motor vehicle payments) | \$ — | \$ 400 |
| Recreation, entertainment, newspapers, magazines, etc. | \$ — | \$ 1500 |
| Insurance (not deducted from wages or included in mortgage payments) | | |
| Homeowner's or renter's | \$ — | \$ — |
| Life | \$ 139 | \$ 150 |
| Health | \$ — | \$ 275 |
| Motor Vehicle | \$ 120 | \$ 180 |
| Other: <u>LTD + Accident insurance</u> | \$ 138 | \$ 250 |
| Taxes (not deducted from wages or included in mortgage payments) | | |
| (specify): _____ | \$ — | \$ — |
| Installment payments | | |
| Motor Vehicle | \$ — | \$ 807 |
| Credit card(s) | \$ — | \$ 2,500 |
| Department store(s) | \$ — | \$ — |
| Other: _____ | \$ 100 | \$ — |
| Alimony, maintenance, and support paid to others | \$ — | \$ 1,097 |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ — | \$ — |
| Other (specify): <u>payroll taxes</u> | \$ — | \$ 3,136 |
| Total monthly expenses: | \$ 1,097 | \$ 14,040 |

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 |
|---------------------------------------|--------------------|----------------------------|
| — | \$ _____ | \$ _____ |
| — | \$ _____ | \$ _____ |
| — | \$ _____ | \$ _____ |

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 |
|------|--------------|-----|
| GD | daughter | 15 |
| SD | daughter | 12 |
| — | — | — |

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) | \$ — | \$ 2,915 |
| Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | |
| Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | |
| Utilities (electricity, heating fuel, water, sewer, and telephone) | \$ — | \$ 680 |
| Home maintenance (repairs and upkeep) | \$ — | \$ 400 |
| Food | \$ 600 | \$ 1300 |
| Clothing | \$ — | \$ 250 |
| Laundry and dry-cleaning | \$ — | \$ 50 |
| Medical and dental expenses | \$ — | \$ 400 |

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.

There is an SBA lien on the house for over
\$750,000

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

Executed on: November 13, 2023

Chalmers Settling II
(Signature)