

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

GORDON LAGERSTROM,

Petitioner,

v.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ATTORNEY
GENERAL, STATE OF FLORIDA,

Respondent.

On Petition for a Writ of Certiorari
to the Eleventh Circuit Court of Appeals

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioner, Gordon Lagerstrom, asks leave to file the enclosed Petition for Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis* in accordance with Supreme Court Rule 39. As exemplified by the attached declaration, Mr. Lagerstrom is indigent and unable to pay the costs associated with his Petition.

WHEREFORE, Petitioner Gordon Lagerstrom, prays for leave to proceed *in forma pauperis*.

Respectfully submitted,



Dane K. Chase, Esquire
Florida Bar Number: 0076448

**Motion for Permission to
Appeal In Forma Pauperis and Affidavit**

United States Court of Appeals for the Eleventh Circuit

GORDON LAGERSTROM

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SECRETARY, DEPARTMENT OF CORRECTIONS, STATE OF FLORIDA

Court of Appeals No. _____
District Court No. 20-80531-CIV-SINGHAL/McCABE

Instructions: Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number. You must include a Certificate of Interested Persons and Corporate Disclosure Statement (attached).

Affidavit in Support of Motion

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Date: March 9, 2023

Signed: John Green

1. *My issues on appeal are:* Whether reasonable jurists would find the District Court's denial of Mr. Lagerstrom's Petition filed under 28 U.S.C. Section 2254 debatable or wrong?

2. 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>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interests and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as Social Security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as Social Security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

3. List your 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>UNEMPLOYED</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

<u>NOT MARRIED</u>	_____	_____	_____
_____	_____	_____	_____

5. How much cash do you and your spouse have? \$ 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
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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

Home (Value)	Other Real Estate (Value)	Motor Vehicle #1 (Value)
<u>NO Home</u>	_____	Make & Year: <u>NO/NE</u>
_____	_____	Model: _____
_____	_____	Registration #: _____
Other Assets (Value)	Other Assets (Value)	Motor Vehicle #2 (Value)
_____	_____	Make & Year: _____
_____	_____	Model: _____
_____	_____	Registration #: _____

7. 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>NO/NE</u>	_____	_____
_____	_____	_____
_____	_____	_____

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

Name [or, if under 18, initials only]	Relationship	Age

9. 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, semiannually, or annually to show the monthly rate.

	You	Your Spouse
For home-mortgage payment (include lot rented for mobile home)	\$ 0	\$ 0
Are real-estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ N/A	\$ N/A
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ N/A	\$ N/A
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ —	\$ —
Home maintenance (repairs and upkeep)	\$ —	\$ —
Food	\$ —	\$ —
Clothing	\$ —	\$ —
Laundry and dry-cleaning	\$ —	\$ —
Medical and dental expenses	\$ —	\$ —
Transportation (not including motor vehicle payments)	\$ —	\$ —
Recreation, entertainment, newspapers, magazines, etc.	\$ —	\$ —
Insurance (not deducted from wages or included in mortgage payments)	\$ —	\$ —
Homeowner's or renter's	\$ —	\$ —
Life	\$ —	\$ —
Health	\$ —	\$ —
Motor Vehicle	\$ —	\$ —
Other: _____	\$ —	\$ —
Taxes (not deducted from wages or included in mortgage payments) (specify): _____	\$ 0	\$ 0
Installment payments	\$ —	\$ —
Motor Vehicle	\$ —	\$ —
Credit card (name): _____	\$ —	\$ —
Department store (name): _____	\$ —	\$ —
Other: _____	\$ —	\$ —

Alimony, maintenance, and support paid to others	\$ <u> </u>	\$ <u> </u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u> </u>	\$ <u> </u>
Other (specify): <u>N/A</u>	\$ <u> </u>	\$ <u> </u>
Total monthly expenses	\$ <u> </u>	\$ <u> </u>

10. 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.

11. Have you spent – or will you be spending – any money for expenses or attorney fees in connection with this lawsuit?

Yes No If yes, how much: \$ 35,000 LOAN

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

INCARCERATED. OWE OVER \$10,000 IN LOANS FOR ATTORNEY FEES.

13. State the city and state of your legal residence. AVON PARK, FLORIDA

Your daytime phone number: () —

Your age: 67 Your years of schooling: 14+