

United States Supreme Court case no. 23-

**ORIGINAL**

**23-6137**

Motion to Proceed *In Forma Pauperis*

Supreme Court, U.S.  
FILED

OCT 18 2023

I, Ronald Boyajian, appearing in pro per as the Petitioner, move to proceed ~~to proceed~~ in forma pauperis before this Court.

I am the defendant-appellant in Ninth Circuit Court of Appeals case 16-50327, in which federal criminal appeal case I am *in forma pauperis* and represented by court-appointed CJA panel attorney Karen Landau. See Dkt. Entry Nos. 131-2 court appointment, 133 Criminal Justice Act voucher created for Karen Landau, Esq.

On July 31, 2023 the Ninth Circuit panel declined to substitute counsel but instead ordered me to proceed pro se. Dkt. 240

I have been designated *in forma pauperis* with attendant provision of Criminal Justice Act (18 U.S.C. § 3006A) services in the Central District of California, Western District, case 2:09-CR-00933-CAS, from 2013 through 2016 followed in Ninth Circuit Court of Appeals from 2016 to present.

I have been held incarcerated under maximum restrictive federal detention and prison continuously for over 14 years, from February 2009 to present.

Dated: October 12, 2023

Respectfully submitted,

Ronald Boyajian

Ronald Boyajian

RECEIVED

NOV 27 2023

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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

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

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
none			\$ 0
			\$
			\$

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			\$ 0
			\$
			\$

4. 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.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
none	\$ 0	\$ 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 none

☐ Other real estate  
Value none

☐ Motor Vehicle #1  
Year, make & model none  
Value

☐ Motor Vehicle #2  
Year, make & model none  
Value

☐ Other assets  
Description none  
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	\$ 0	\$ N/A
	\$	\$
	\$	\$

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
none		

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)	\$ 0	\$ N/A
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)	\$ 0	\$ N/A
Home maintenance (repairs and upkeep)	\$ 0	\$ N/A
Food	\$ 0	\$ N/A
Clothing	\$ 0	\$ N/A
Laundry and dry-cleaning	\$ 0	\$ N/A
Medical and dental expenses	\$ 0	\$ N/A

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

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.  
Fifteenth year of incarceration, from 2009 to present.

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

Executed on: November 20, 2023

Ronald Berry

(Signature)

Scott S. Harris, Esq., Clerk of the Court  
Office Of The Clerk  
1 First Street N.E.  
Supreme Court Of The United States  
Washington, D. C. 20543

Attn: Susan Frimpong

November 20, 2023

Dear Ms. Frimpong,

I enclosed attached to this letter my declaration of indigency as you requested in your November 15, 2023, correspondence explaining "it appears that CJA counsel appointment is not for the current proceeding in which you are seeking review."

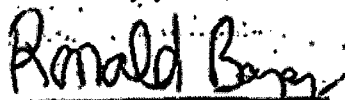
Here are some docket areas showing my original submission comports with the Supreme Court Rules providing that if the court previously established indigency and appointed CJA counsel and the financial status has not changed, then a declaration of indigency is not required:

<u>Docket no.</u>	<u>Date</u>	<u>CJA counsel voucher / appointments in proceedings 16-50327</u>
31	06/06/2017	<b>Criminal Justice Act</b> electronic voucher created. (Counsel: Ms. Katherine Kimball Windsor, Esquire for Ronald Gerard Boyajian)
51	04/10/2019	Received email notice of <b>CJA counsel of record appointment</b> . Assistant <b>Federal Public Defender</b> Vicki Lai for party(s) Appellant Ronald Gerard Boyajian, in case 16-50327.
120	02/02/2021	<b>Criminal Justice Act</b> electronic voucher created. (Counsel: Ms. Gail Ivens, Esquire for Ronald Gerard Boyajian)
133	11/04/2021	<b>Criminal Justice Act</b> electronic voucher created. (Counsel: Ms. Karen Lee Landau, Esquire for Ronald Gerard Boyajian)

In July 2023, I submitted an emergency motion to replace CJA counsel Landau with another CJA lawyer or be allowed to proceed pro se. Dkt. 231 CJA attorney Landau also asked I be provided a different CJA lawyer to replace her. Dkt. 236 The court resolved these motions by ordering me to proceed pro se. Dkt. 240. My financial status has not changed.

So, I attach my declaration of indigency as per your request, if you need it.

Sincerely yours,



Ronald Boyajian, Petitioner, Pro Se  
USP Terre Haute

Enc. [NEW] November 20, 2023, dated Declaration Of Indigency  
[returning to you] October 12, 2023, dated Motion to Proceed *In Forma Pauperis*  
[returning to you] October 12, 2023, dated Petition for Writ of Mandamus

