

23-6311

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
DEC 10 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

DAVID CLUM, Jr. — PETITIONER
(Your Name)

VS.

United States — 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):

Southern District of Florida / Eleventh Circuit Court of Appeals
22-60954 / 22-11976

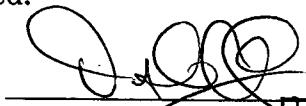
Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

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: _____
_____, or

a copy of the order of appointment is appended.



(Signature)

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DEC 20 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, David Clun, 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>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>
Income from real property (such as rental income)	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>
Interest and dividends	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>
Gifts	\$ <u>4</u>	\$ <u>4</u>	\$ <u>4</u>	\$ <u>4</u>
Alimony	\$ <u>4</u>	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>
Child Support	\$ <u>4</u>	\$ <u>11</u>	\$ <u>4</u>	\$ <u>11</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>
Disability (such as social security, insurance payments)	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>
Unemployment payments	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>
Public-assistance (such as welfare)	\$ <u>11</u>	\$ <u>4</u>	\$ <u>11</u>	\$ <u>11</u>
Other (specify): <u>N/A</u>	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>
Total monthly income:	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</u>	\$ <u>11</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
<u>N/A</u>	_____	_____	\$_____
	_____	_____	\$_____
	_____	_____	\$_____

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
<u>N/A</u>	_____	_____	\$_____
	_____	_____	\$_____
	_____	_____	\$_____

4. How much cash do you and your spouse have? \$ N/A
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
<u>N/A</u>	_____	\$_____	\$_____
	_____	\$_____	\$_____
	_____	\$_____	\$_____

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 _____

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

Other assets
Description N/A
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>N/A</u>	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____

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

Name	Relationship	Age
<u>N/A</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>N/A</u>	\$ <u>N/A</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>00</u>	\$ <u>00</u>
Home maintenance (repairs and upkeep)	\$ <u>00</u>	\$ <u>00</u>
Food	\$ <u>00</u>	\$ <u>00</u>
Clothing	\$ <u>00</u>	\$ <u>00</u>
Laundry and dry-cleaning	\$ <u>00</u>	\$ <u>00</u>
Medical and dental expenses	\$ <u>00</u>	\$ <u>00</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>N/A</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>11</u>	\$ <u>11</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>11</u>	\$ <u>4</u>
Life	\$ <u>4</u>	\$ <u>4</u>
Health	\$ <u>11</u>	\$ <u>11</u>
Motor Vehicle	\$ <u>11</u>	\$ <u>11</u>
Other: <u>N/A</u>	\$ <u>11</u>	\$ <u>11</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ <u>11</u>	\$ <u>4</u>
Installment payments		
Motor Vehicle	\$ <u>11</u>	\$ <u>11</u>
Credit card(s)	\$ <u>11</u>	\$ <u>11</u>
Department store(s)	\$ <u>11</u>	\$ <u>4</u>
Other: <u>N/A</u>	\$ <u>11</u>	\$ <u>11</u>
Alimony, maintenance, and support paid to others	\$ <u>11</u>	\$ <u>11</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>11</u>	\$ <u>11</u>
Other (specify): <u>N/A</u>	\$ <u>11</u>	\$ <u>11</u>
Total monthly expenses:	\$ <u>11</u>	\$ <u>11</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.

I expect to be set at liberty.

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? aya

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? aya

If yes, state the person's name, address, and telephone number:

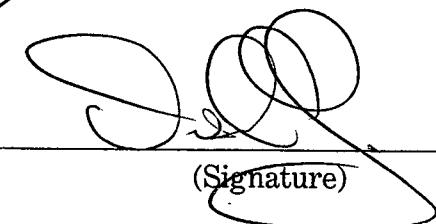
aya

12. Provide any other information that will help explain why you cannot pay the costs of this case.

No Spouse.

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

Executed on: December 10, 2023


(Signature)

Inmate Statement



Inmate Reg #: 20962075
 Inmate Name: CLUM, DAVID
 Report Date: 12/04/2023
 Report Time: 3:42:40 PM

Current Institution: Memphis (Millington) SPC
 Housing Unit: MLL-C-C
 Living Quarters: C05-002L

Alpha Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction	Encumbrance		
						Amount	Amount	Ending Balance	
MLL	12/4/2023 1:26:26 PM	TL1204			TRUL Withdrawal	(\$10.00)			\$56.54
MLL	12/4/2023 7:18:06 AM	TL1204			TRUL Withdrawal	(\$10.00)			\$66.54
MLL	12/3/2023 3:38:43 PM	TL1203			TRUL Withdrawal	(\$10.00)			\$76.54
MLL	12/2/2023 8:22:39 PM	TL1202			TRUL Withdrawal	(\$10.00)			\$86.54
MLL	12/2/2023 11:43:19 AM	TL1202			TRUL Withdrawal	(\$10.00)			\$96.54
MLL	12/1/2023 6:49:22 AM	TL1201			TRUL Withdrawal	(\$10.00)			\$106.54
MLL	11/30/2023 8:40:04 AM	42			Sales	(\$11.25)			\$116.54
MLL	11/29/2023 2:24:41 PM	TL1129			TRUL Withdrawal	(\$10.00)			\$127.79
MLL	11/22/2023 1:47:15 PM	TL1122			TRUL Withdrawal	(\$5.00)			\$137.79
MLL	11/21/2023 7:44:45 AM	46			Sales	(\$34.45)			\$142.79
MLL	11/19/2023 6:48:07 PM	TL1119			TRUL Withdrawal	(\$5.00)			\$177.24
MLL	11/17/2023 8:18:44 PM	TL1117			TRUL Withdrawal	(\$5.00)			\$182.24
MLL	11/16/2023 3:08:05 PM	ZCMS1023			Payroll - TF	\$81.00			\$187.24
MLL	11/16/2023 3:07:37 PM	ZIPP1023			Payroll - IPP	\$50.30			\$106.24
MLL	11/15/2023 9:19:30 AM	36			Sales	(\$5.28)			\$55.94
MLL	11/15/2023 9:18:59 AM	35			Sales	(\$9.50)			\$61.22
MLL	11/14/2023 7:01:09 AM	TL1114			TRUL Withdrawal	(\$5.00)			\$70.72
MLL	11/13/2023 6:06:56 PM	33323317			Western Union	\$75.00			\$75.72
MLL	11/13/2023 7:20:13 AM	TL1113			TRUL Withdrawal	(\$2.00)			\$0.72
MLL	11/7/2023 8:17:46 PM	TL1107			TRUL Withdrawal	(\$2.00)			\$2.72
MLL	11/7/2023 2:36:09 PM	TL1107			TRUL Withdrawal	(\$2.00)			\$4.72
MLL	11/3/2023 6:44:09 AM	TL1103			TRUL Withdrawal	(\$5.00)			\$6.72
MLL	10/31/2023 6:14:51 PM	TL1031			TRUL Withdrawal	(\$5.00)			\$11.72
MLL	10/29/2023 8:48:00 PM	TL1029			TRUL Withdrawal	(\$5.00)			\$16.72
MLL	10/27/2023 8:53:46 PM	TL1027			TRUL Withdrawal	(\$5.00)			\$21.72
MLL	10/24/2023 7:58:12 AM	TL1024			TRUL Withdrawal	(\$5.00)			\$26.72
MLL	10/23/2023 7:31:45 AM	TL1023			TRUL Withdrawal	(\$5.00)			\$31.72
MLL	10/17/2023 5:14:48 PM	TL1017			TRUL Withdrawal	(\$5.00)			\$36.72
MLL	10/16/2023 11:32:17 AM	TL1016			TRUL Withdrawal	(\$5.00)			\$41.72
MLL	10/14/2023 6:31:58 PM	TL1014			TRUL Withdrawal	(\$5.00)			\$46.72
MLL	10/12/2023 1:35:41 PM	54			Sales	(\$1.70)			\$51.72
MLL	10/12/2023 9:16:25 AM	32			Sales	(\$14.10)			\$53.42
MLL	10/11/2023 6:52:52 AM	TL1011			TRUL Withdrawal	(\$5.00)			\$67.52
MLL	10/10/2023 2:12:22 PM	ZIPP0923			Payroll - IPP	\$21.00			\$72.52
MLL	10/10/2023 2:12:22 PM	ZIPP0923			Payroll - IPP	\$45.60			\$51.52
MLL	10/9/2023 8:26:02 PM	TL1009			TRUL Withdrawal	(\$2.00)			\$5.92
MLL	10/9/2023 9:37:23 AM	TL1009			TRUL Withdrawal	(\$2.00)			\$7.92
MLL	10/9/2023 6:25:54 AM	TL1009			TRUL Withdrawal	(\$5.00)			\$9.92
MLL	10/8/2023 3:57:59 PM	TL1008			TRUL Withdrawal	(\$5.00)			\$14.92

MLL	10/7/2023 11:31:34 AM	TL1007	TRUL Withdrawal	(\$5.00)	\$19.92
MLL	10/6/2023 5:43:58 PM	TL1006	TRUL Withdrawal	(\$5.00)	\$24.92
MLL	10/5/2023 11:33:45 AM	44	Sales	(\$12.80)	\$29.92
MLL	10/4/2023 6:05:41 AM	TL1004	TRUL Withdrawal	(\$10.00)	\$42.72
MLL	10/3/2023 5:02:07 PM	TL1003	TRUL Withdrawal	(\$5.00)	\$52.72
MLL	10/2/2023 7:08:13 PM	33323275	Western Union	\$50.00	\$57.72
MLL	10/2/2023 5:35:44 PM	TL1002	TRUL Withdrawal	(\$5.00)	\$7.72
MLL	10/2/2023 4:32:43 PM	TL1002	TRUL Withdrawal	(\$2.00)	\$12.72
MLL	10/2/2023 7:45:34 AM	TL1002	TRUL Withdrawal	(\$5.00)	\$14.72
MLL	10/1/2023 4:43:21 PM	TL1001	TRUL Withdrawal	(\$5.00)	\$19.72
MLL	10/1/2023 11:49:26 AM	TL1001	TRUL Withdrawal	(\$5.00)	\$24.72

1 2 3 4

Total Transactions: 157

Totals: (\$255.50) \$0.00

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
MLL	\$56.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$56.54
Totals:	\$56.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$56.54

Other Balances

National 6 Months Deposits	National 6 Months Withdrawals	Natioanl 6 Months Avg Daily Balance	Local Max Balance - Prev 30 Days	Average Balance - Prev 30 Days	Commissary Restriction Start Date	Commissary Restriction End Date
\$652.58	\$720.03	\$61.38	\$187.24	\$95.16	N/A	N/A