

23-6571

U.S. Supreme Court case No. To be assigned

U.S. 11th Circuit Court of Appeals case number: 22-12231

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
SEP 15 2023
OFFICE OF THE CLERK
SUPREME COURT U.S.

Thomas Albert Sosnowski
(Your Name)

PETITIONER

ORIGINAL

VS.

Secretary, Florida Dept. of Corrections

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):

Florida's First District Court of Appeals; the COUNTY Court of the First Judicial Circuit in and for Santa Rosa County, Florida; Santa Rosa County, FL Circuit Court Juvenile Division

☐ 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: Florida Statute Section 57.085, or

☐ a copy of the order of appointment is appended.

Thomas A. Sosnowski
(Signature)

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

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

I have been incarcerated since June 9, 2016

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

No Spouse

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

4. How much cash do you ~~and your spouse~~ have? \$ _____
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
<u>Inmate Trust Account</u>	\$ <u>1865.03</u>	\$ <u>N/A</u>
	\$ <u>on</u>	\$
	\$ <u>November 30,</u>	\$
	<u>2023</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 \$ 70,000
3238 Auburn Pkwy,
Gulf Breeze, FL 32563
☐ Motor Vehicle #1
Year, make & model none
Value _____

☒ Other real estate Home
Value \$ 80,000
5702 East Shore Drive
Pensacola, FL 32505
☐ Motor Vehicle #2
Year, make & model none
Value _____

☐ Other assets
Description ~~None~~ \$ 2,000 worth of exercise equipment
Value \$ 2,000

(2)

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
tenant <u>Daniel Romero</u>	\$ <u>4000 upon my release</u>	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
_____	_____	_____
_____	_____	_____
_____	_____	_____

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.

while incarcerated No spouse
 You Your spouse
 N/A

Rent or home-mortgage payment
 (include lot rented for mobile home)

Are real estate taxes included? ☒ Yes ☐ No
 Is property insurance included? ☐ Yes ☐ No

\$ 1,300 - \$ Ø
1,900 yearly
property tax

Utilities (electricity, heating fuel, water, sewer, and telephone)

I am in Prison

\$ Ø \$ Ø

Home maintenance (repairs and upkeep)

\$ Ø \$ Ø

Food

\$ 200-300 \$ Ø
monthly

Clothing

\$ Ø \$ Ø

Laundry and dry-cleaning

\$ Ø \$ Ø

Medical and dental expenses

\$ Ø \$ Ø

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No Spouse
Your spouse

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ Ø	\$ Ø N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 100-200 monthly	\$ Ø
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ Ø	\$ Ø
Life	\$ Ø	\$ Ø
Health	\$ Ø	\$ Ø
Motor Vehicle	\$ Ø	\$ Ø
Other: _____	\$ Ø	\$ Ø
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>property tax</u>	\$ 1,300 - \$1,900 yearly while in prison	\$ Ø
Installment payments		
Motor Vehicle	\$ Ø	\$ Ø
Credit card(s)	\$ Ø	\$ Ø
Department store(s)	\$ Ø	\$ Ø
Other: _____	\$ Ø	\$ Ø
Alimony, maintenance, and support paid to others	\$ Ø	\$ Ø
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ Ø	\$ Ø
Other (specify): _____	\$ Ø	\$ Ø
Total monthly expenses:	\$ 300 to 500	\$ Ø

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 will be released from Prison by May 19, 2024 even if I am not Granted a Writ of Certiorari with a Reversed wrongful conviction

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? \$ 10,000

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

Robert David Malove of Ft. Lauderdale, Florida: In Florida Supreme Court case number SC18-2004, Robert David Malove filed a "Jurisdictional Brief of the Petitioner" in hopes of Florida Supreme Court Review after Florida's First District Court of Appeals

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?

possibly
☐ Yes ☐ No

rendered a Written Opinion in the Direct Appeal of my Judgment and Sentence. See Seshowski -vs- State of Florida

If yes, how much? _____

245 So 3d 885 (FL 1st DCA 2018)

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

I will require the help of Family Law Attorneys when I Petition for partial to full custody of my son. My son's mother died around November 2019. My son is on a Permanent Legal Guardianship.

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

According to the Property Tax Bill included within as an Exhibit, I will owe ~ \$1,600 on my home's property tax soon after my May 19, 2024 release from Prison taken out of my \$5,000 inheritance on a twice a year basis.

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

Executed on: December 15, 2023

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(Signature)