

ORIGINAL

No. _____

23-6518

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

NOV 22 2023

OFFICE OF THE CLERK

ANTHONY BAILEY — PETITIONER
(Your Name)

UNITED STATES DISTRICT COURT (or. No.) vs. NINTH CIRCUIT
COURT OF APPEALS ET AL — 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):

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)

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

I, Anthony Bailey, 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>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</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>	\$ <u> </u>
Total monthly income:	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </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
N/A			\$ 0.00
			\$ 55
			\$ 55

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	N/A		\$ 0.00
S	S		\$ 55

4. How much cash do you and your spouse have? \$ 0.00

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	\$ 0.00	\$ 0.00
	\$ 55	\$ 55
	\$ 55	\$ 55

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 N/A

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

Other assets
Description N/A
Value N/A

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

STATE OF NEVADA et al.

S UNKNOWN

\$ N/A

A hand-drawn sketch of a wavy line on three horizontal lines. The wavy line starts at the top line, descends to the middle line, and then ascends to the bottom line, creating a series of S-shaped curves.

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

None



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)	\$ 0.00	\$ 0.00
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>Insured since 2009</i>		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0.00	\$ 0.00
Home maintenance (repairs and upkeep)	\$ 0.00	\$ 0.00
Food	\$ 0.00	\$ 0.00
Clothing	\$ 0.00	\$ 0.00
Laundry and dry-cleaning	\$ 0.00	\$ 0.00
Medical and dental expenses	\$ 0.00	\$ 0.00

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0.00</u>	\$ <u>0.00</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0.00</u>	\$ <u>0.00</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0.00</u>	\$ <u>0.00</u>
Life	\$ <u>0.00</u>	\$ <u>0.00</u>
Health	\$ <u>0.00</u>	\$ <u>0.00</u>
Motor Vehicle	\$ <u>0.00</u>	\$ <u>0.00</u>
Other: _____	\$ <u>0.00</u>	\$ <u>0.00</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0.00</u>	\$ <u>0.00</u>
Installment payments		
Motor Vehicle	\$ <u>0.00</u>	\$ <u>0.00</u>
Credit card(s)	\$ <u>0.00</u>	\$ <u>0.00</u>
Department store(s)	\$ <u>0.00</u>	\$ <u>0.00</u>
Other: _____	\$ <u>0.00</u>	\$ <u>0.00</u>
Alimony, maintenance, and support paid to others	\$ <u>0.00</u>	\$ <u>0.00</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0.00</u>	\$ <u>0.00</u>
Other (specify): _____	\$ <u>0.00</u>	\$ <u>0.00</u>
Total monthly expenses:	\$ <u>0.00</u>	\$ <u>0.00</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.

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? *Should this court appoint counsel, where the Nevada Department of Corrections are denying Appellant legal supplies to conspire*
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.

*First, in case Nos. 23-15120, 23-15792, filed Civil Rights
complaint, supported by direct evidence, upon the filing of the
complaint, supporting the allegations, have been dismissed, or
dismissed, in violation of the First Amendment and Title 28, § 1913
et seq. (Bd. No. 23-15120, 23-15792 and 23-15378, these cases
I declare under penalty of perjury that the foregoing is true and correct, without prejudice
cont. on
pg. 7, on*

Executed on: 11-22, 2023


(Signature)

the judicial record as the Appellant written Orders in Riley v. Henderson, No. 2:16-cv-2595-JAD-CWH; Riley v. State of Nevada, No. 2:16-cv-2515 (U.S.D.C. So.Nev.); Riley v. Gunderson, et al., 95-17213, Riley v. Hunnell, No. 98-15212 and Riley v. Leonhardt, et al., No. 02-16378, neither ending as frivolous, malicious or failure to state a claim - (failure to file, filing fees).

Rather, the Appellant's incarcerated poverty, is/are being used by the Ninth Circuit Court of Appeals and the United States District Court (So.Nev.) in violation of Title 28 § 1915 (4), to dismiss and uphold the non-constitutional treatment and denial of adequate medical, while mandatorily forcing the Appellant to serve an illegal prison term of an "implied acquitted" in Las Vegas, Nevada, Sept. 20, 4.29.14, case No. 253937, Clark County;

Thus, the Appellant points to drawing inferences, the U.S.D.C. and the 9th Circuit are relying the Appellant's indigency to dismiss Civil Rights Complaints (2:22-cv-00306; 23-15150, 23-15702, 23-15709 and 2:22-cv-00470) each supported by direct evidence, supporting the sworn allegations contained in the mentioned case numbers, due to the Ninth Circuit's long expired Order (12-80059).

Executed on: 11-22-2023

Gail R. Riley
Signature

9th Cir.

FINANCIAL CERTIFICATE

I request that an authorized officer of the institution in which I am confined, or other designated entity, such as Inmate Services for the Nevada Department of Prisons (NDOC), complete the below Financial Certificate.

I understand that:

(1) if I commence a petition for writ of habeas corpus in federal court pursuant to 28 U.S.C. § 2254, the filing fee is \$5.00, and that such fee will have to be paid by me if the current account balance (line #1 below), or the average account balance (line #2 below), or the average deposits to my account (line #3), whichever is greater, is \$20.00 or more;

(2) if I commence a civil rights action in federal court pursuant to 42 U.S.C. § 1983, the filing fee is \$350.00, which I must pay in full; and

(a) if my current account balance (line #1 below) is \$350.00 or more, I will not qualify for *in forma pauperis* status and I must pay the full filing fee of \$350.00 before I will be allowed to proceed with the action;

(b) if I do **NOT** have \$350.00 in my account as reflected on line #1 below, before I will be allowed to proceed with an action I will be required to pay 20% of my average monthly balance (line #2 below), or the average monthly deposits to my account (line #3 below), whichever is greater, and thereafter I must pay installments of 20% of the preceding month's deposits to my account in months that my account balance exceeds \$10.00 (if I am in the custody of the NDOC, I hereby authorize the NDOC to make such deductions from deposits to my account, and I further understand that if I have a prison job, then the 20% of my paycheck that is guaranteed to me as spendable money will be sent to the court for payment of the filing fee); and

(c) I must continue to make installment payments until the \$350.00 filing fee is fully paid, without regard to whether my action is closed or my release from confinement.

Type of action (check one): civil rights

habeas corpus

Anthony Bailey
INMATE NAME (printed)

Anthony Bailey S6192
SIGNATURE & PRISON NUMBER

1. CURRENT ACCOUNT BALANCE	\$ 0.09
2. AVERAGE MONTHLY BALANCE*	\$ 0.09
3. AVERAGE MONTHLY DEPOSITS*	\$ 0.00
4. FILING FEE (based on #1, #2 or #3, whichever is greater)	\$ 0.02

* for the past six (6) months, from all sources, including amount in any savings account that is in excess of minimum amount that must be maintained

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

(Please sign in ink in a)
(color other than black.)

10/12/23

DATE

W. C.

AUTHORIZED OFFICER

Asst. Atty. T.

TITLE

Financial Certificates
0036192 - BAILEY, ANTHONY D
(4/13/2023 - 10/12/2023)

INVESTMENT				
Date	Description	Deposit	Withdrawal	Balance
No Activity				
04/13/2023	Opening Balance			\$0.09
10/12/2023	Closing Balance			\$0.09

INVESTMENT				
Date	Description	Deposit	Withdrawal	Balance
No Activity				
04/13/2023	Opening Balance			\$0.00
10/12/2023	Closing Balance			\$0.00

INVESTMENT				
Date	Description	Deposit	Withdrawal	Balance
No Activity				
04/13/2023	Opening Balance			\$0.00
10/12/2023	Closing Balance			\$0.00

SAVINGS				
Date	Description	Deposit	Withdrawal	Balance
No Activity				
04/13/2023	Opening Balance			\$6.17
10/12/2023	Closing Balance			\$6.17

Financial Certificates
0036192 - BAILEY, ANTHONY D

Date	Daily Balance	Daily Deposit	Number Of Deposit
04/13/2023	\$0.09	\$0.00	0
04/14/2023	\$0.09	\$0.00	0
04/15/2023	\$0.09	\$0.00	0
04/16/2023	\$0.09	\$0.00	0
04/17/2023	\$0.09	\$0.00	0
04/18/2023	\$0.09	\$0.00	0
04/19/2023	\$0.09	\$0.00	0
04/20/2023	\$0.09	\$0.00	0
04/21/2023	\$0.09	\$0.00	0
04/22/2023	\$0.09	\$0.00	0
04/23/2023	\$0.09	\$0.00	0
04/24/2023	\$0.09	\$0.00	0
04/25/2023	\$0.09	\$0.00	0
04/26/2023	\$0.09	\$0.00	0
04/27/2023	\$0.09	\$0.00	0
04/28/2023	\$0.09	\$0.00	0
04/29/2023	\$0.09	\$0.00	0
04/30/2023	\$0.09	\$0.00	0
05/01/2023	\$0.09	\$0.00	0
05/02/2023	\$0.09	\$0.00	0
05/03/2023	\$0.09	\$0.00	0
05/04/2023	\$0.09	\$0.00	0
05/05/2023	\$0.09	\$0.00	0
05/06/2023	\$0.09	\$0.00	0
05/07/2023	\$0.09	\$0.00	0
05/08/2023	\$0.09	\$0.00	0
05/09/2023	\$0.09	\$0.00	0
05/10/2023	\$0.09	\$0.00	0
05/11/2023	\$0.09	\$0.00	0
05/12/2023	\$0.09	\$0.00	0
05/13/2023	\$0.09	\$0.00	0
05/14/2023	\$0.09	\$0.00	0
05/15/2023	\$0.09	\$0.00	0
05/16/2023	\$0.09	\$0.00	0
05/17/2023	\$0.09	\$0.00	0
05/18/2023	\$0.09	\$0.00	0
05/19/2023	\$0.09	\$0.00	0
05/20/2023	\$0.09	\$0.00	0
05/21/2023	\$0.09	\$0.00	0
05/22/2023	\$0.09	\$0.00	0
05/23/2023	\$0.09	\$0.00	0
05/24/2023	\$0.09	\$0.00	0
05/25/2023	\$0.09	\$0.00	0
05/26/2023	\$0.09	\$0.00	0
05/27/2023	\$0.09	\$0.00	0
05/28/2023	\$0.09	\$0.00	0
05/29/2023	\$0.09	\$0.00	0
05/30/2023	\$0.09	\$0.00	0
05/31/2023	\$0.09	\$0.00	0

Financial Certificates
0036192 - BAILEY, ANTHONY D

Date	Daily Balance	Daily Deposit	Number Of Deposit
06/01/2023	\$0.09	\$0.00	0
06/02/2023	\$0.09	\$0.00	0
06/03/2023	\$0.09	\$0.00	0
06/04/2023	\$0.09	\$0.00	0
06/05/2023	\$0.09	\$0.00	0
06/06/2023	\$0.09	\$0.00	0
06/07/2023	\$0.09	\$0.00	0
06/08/2023	\$0.09	\$0.00	0
06/09/2023	\$0.09	\$0.00	0
06/10/2023	\$0.09	\$0.00	0
06/11/2023	\$0.09	\$0.00	0
06/12/2023	\$0.09	\$0.00	0
06/13/2023	\$0.09	\$0.00	0
06/14/2023	\$0.09	\$0.00	0
06/15/2023	\$0.09	\$0.00	0
06/16/2023	\$0.09	\$0.00	0
06/17/2023	\$0.09	\$0.00	0
06/18/2023	\$0.09	\$0.00	0
06/19/2023	\$0.09	\$0.00	0
06/20/2023	\$0.09	\$0.00	0
06/21/2023	\$0.09	\$0.00	0
06/22/2023	\$0.09	\$0.00	0
06/23/2023	\$0.09	\$0.00	0
06/24/2023	\$0.09	\$0.00	0
06/25/2023	\$0.09	\$0.00	0
06/26/2023	\$0.09	\$0.00	0
06/27/2023	\$0.09	\$0.00	0
06/28/2023	\$0.09	\$0.00	0
06/29/2023	\$0.09	\$0.00	0
06/30/2023	\$0.09	\$0.00	0
07/01/2023	\$0.09	\$0.00	0
07/02/2023	\$0.09	\$0.00	0
07/03/2023	\$0.09	\$0.00	0
07/04/2023	\$0.09	\$0.00	0
07/05/2023	\$0.09	\$0.00	0
07/06/2023	\$0.09	\$0.00	0
07/07/2023	\$0.09	\$0.00	0
07/08/2023	\$0.09	\$0.00	0
07/09/2023	\$0.09	\$0.00	0
07/10/2023	\$0.09	\$0.00	0
07/11/2023	\$0.09	\$0.00	0
07/12/2023	\$0.09	\$0.00	0
07/13/2023	\$0.09	\$0.00	0
07/14/2023	\$0.09	\$0.00	0
07/15/2023	\$0.09	\$0.00	0
07/16/2023	\$0.09	\$0.00	0
07/17/2023	\$0.09	\$0.00	0
07/18/2023	\$0.09	\$0.00	0
07/19/2023	\$0.09	\$0.00	0

Financial Certificates
0036192 - BAILEY, ANTHONY D

Date	Daily Balance	Daily Deposit	Number Of Deposit
07/20/2023	\$0.09	\$0.00	0
07/21/2023	\$0.09	\$0.00	0
07/22/2023	\$0.09	\$0.00	0
07/23/2023	\$0.09	\$0.00	0
07/24/2023	\$0.09	\$0.00	0
07/25/2023	\$0.09	\$0.00	0
07/26/2023	\$0.09	\$0.00	0
07/27/2023	\$0.09	\$0.00	0
07/28/2023	\$0.09	\$0.00	0
07/29/2023	\$0.09	\$0.00	0
07/30/2023	\$0.09	\$0.00	0
07/31/2023	\$0.09	\$0.00	0
08/01/2023	\$0.09	\$0.00	0
08/02/2023	\$0.09	\$0.00	0
08/03/2023	\$0.09	\$0.00	0
08/04/2023	\$0.09	\$0.00	0
08/05/2023	\$0.09	\$0.00	0
08/06/2023	\$0.09	\$0.00	0
08/07/2023	\$0.09	\$0.00	0
08/08/2023	\$0.09	\$0.00	0
08/09/2023	\$0.09	\$0.00	0
08/10/2023	\$0.09	\$0.00	0
08/11/2023	\$0.09	\$0.00	0
08/12/2023	\$0.09	\$0.00	0
08/13/2023	\$0.09	\$0.00	0
08/14/2023	\$0.09	\$0.00	0
08/15/2023	\$0.09	\$0.00	0
08/16/2023	\$0.09	\$0.00	0
08/17/2023	\$0.09	\$0.00	0
08/18/2023	\$0.09	\$0.00	0
08/19/2023	\$0.09	\$0.00	0
08/20/2023	\$0.09	\$0.00	0
08/21/2023	\$0.09	\$0.00	0
08/22/2023	\$0.09	\$0.00	0
08/23/2023	\$0.09	\$0.00	0
08/24/2023	\$0.09	\$0.00	0
08/25/2023	\$0.09	\$0.00	0
08/26/2023	\$0.09	\$0.00	0
08/27/2023	\$0.09	\$0.00	0
08/28/2023	\$0.09	\$0.00	0
08/29/2023	\$0.09	\$0.00	0
08/30/2023	\$0.09	\$0.00	0
08/31/2023	\$0.09	\$0.00	0
09/01/2023	\$0.09	\$0.00	0
09/02/2023	\$0.09	\$0.00	0
09/03/2023	\$0.09	\$0.00	0
09/04/2023	\$0.09	\$0.00	0
09/05/2023	\$0.09	\$0.00	0
09/06/2023	\$0.09	\$0.00	0

Financial Certificates
0036192 - BAILEY, ANTHONY D

Date	Daily Balance	Daily Deposit	Number Of Deposit
09/07/2023	\$0.09	\$0.00	0
09/08/2023	\$0.09	\$0.00	0
09/09/2023	\$0.09	\$0.00	0
09/10/2023	\$0.09	\$0.00	0
09/11/2023	\$0.09	\$0.00	0
09/12/2023	\$0.09	\$0.00	0
09/13/2023	\$0.09	\$0.00	0
09/14/2023	\$0.09	\$0.00	0
09/15/2023	\$0.09	\$0.00	0
09/16/2023	\$0.09	\$0.00	0
09/17/2023	\$0.09	\$0.00	0
09/18/2023	\$0.09	\$0.00	0
09/19/2023	\$0.09	\$0.00	0
09/20/2023	\$0.09	\$0.00	0
09/21/2023	\$0.09	\$0.00	0
09/22/2023	\$0.09	\$0.00	0
09/23/2023	\$0.09	\$0.00	0
09/24/2023	\$0.09	\$0.00	0
09/25/2023	\$0.09	\$0.00	0
09/26/2023	\$0.09	\$0.00	0
09/27/2023	\$0.09	\$0.00	0
09/28/2023	\$0.09	\$0.00	0
09/29/2023	\$0.09	\$0.00	0
09/30/2023	\$0.09	\$0.00	0
10/01/2023	\$0.09	\$0.00	0
10/02/2023	\$0.09	\$0.00	0
10/03/2023	\$0.09	\$0.00	0
10/04/2023	\$0.09	\$0.00	0
10/05/2023	\$0.09	\$0.00	0
10/06/2023	\$0.09	\$0.00	0
10/07/2023	\$0.09	\$0.00	0
10/08/2023	\$0.09	\$0.00	0
10/09/2023	\$0.09	\$0.00	0
10/10/2023	\$0.09	\$0.00	0
10/11/2023	\$0.09	\$0.00	0
10/12/2023	\$0.09	\$0.00	0

Start Date	End Date	Total Daily Balances	Number Of Days	Average Monthly Balances
04/13/2023	05/12/2023	\$2.70	30	\$0.09
05/13/2023	06/12/2023	\$2.79	31	\$0.09
06/13/2023	07/12/2023	\$2.70	30	\$0.09
07/13/2023	08/12/2023	\$2.79	31	\$0.09
08/13/2023	09/12/2023	\$2.79	31	\$0.09
09/13/2023	10/12/2023	\$2.70	30	\$0.09

Start Date	End Date	Total Deposits	Number Of Deposits	Average Monthly Deposits
No data was found for the criteria selected.				

Current Account Balance: 10/12/2023 \$0.09
Average Monthly Account Balance: \$0.09
Average Monthly Deposits: \$0.00
Average Total Monthly Deposit: \$0.00

0 • 0 9 x
20 • %
0 • 0 2 *