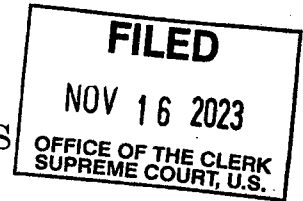


ORIGINAL

No. 23-6697

IN THE
SUPREME COURT OF THE UNITED STATES



Jorge Hernandez — PETITIONER
(Your Name)

VS.

United States of America — 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.

Jorge E. Hernandez
(Signature)

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

I, Jorge Hernandez, 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>65</u>	\$ <u>0</u>	\$ <u>59</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>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>404</u>	\$ <u>0</u>	\$ <u>400</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>469</u>	\$ <u>0</u>	\$ <u>459</u>	\$ <u>0</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
Fed BOP	FLL-Colombia	1/2007-	\$ 58.20
-	-	-	\$ -
-	-	-	\$ -

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	N/A	\$ N/A
-	-	-	\$ -
-	-	-	\$ -

4. How much cash do you and your spouse have? \$ 512.13

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
Trust Fund	\$ 512.13	\$ 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 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
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>-</u>	\$ <u>-</u>	\$ <u>-</u>
<u>-</u>	\$ <u>-</u>	\$ <u>-</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
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>-</u>	<u>-</u>	<u>-</u>
<u>-</u>	<u>-</u>	<u>-</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>0</u>	\$ <u>0</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>0</u>	\$ <u>0</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>0</u>
Food	\$ <u>333</u>	\$ <u>0</u>
Clothing	\$ <u>30</u>	\$ <u>0</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>0</u>
Medical and dental expenses	\$ <u>50</u>	\$ <u>0</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>0</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>0</u>
Life	\$ <u>0</u>	\$ <u>0</u>
Health	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Other: _____	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ <u>0</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s)	\$ <u>0</u>	\$ <u>0</u>
Department store(s)	\$ <u>0</u>	\$ <u>0</u>
Other: _____	\$ <u>0</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>0</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>
Total monthly expenses:	\$ <u>413</u>	\$ <u>0</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? _____

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.

I am a federal prisoner

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

Executed on: 11/16/23, 2023

NORGE E. ASE
(Signature)

Inmate Statement



Inmate Reg #:	43994004	Current Institution:	Coleman FCC
Inmate Name:	HERNANDEZ, JORGE	Housing Unit:	COL-B-C
Report Date:	11/19/2023	Living Quarters:	B11-040L
Report Time:	3:24:43 PM		

<u>Alpha</u> <u>Code</u>	<u>Date/Time</u>	<u>Reference#</u>	<u>Payment#</u>	<u>Receipt#</u>	<u>Transaction Type</u>	<u>Transaction</u>	<u>Encumbrance</u>
						<u>Amount</u>	<u>Amount Ending Balance</u>
COA	11/16/2023 12:18:10 PM	3			Sales	(\$45.75)	\$512.13
COA	11/15/2023 5:23:11 PM	ZICP1123			Inmate Co-pay	(\$2.00)	\$557.88
COA	11/14/2023 10:08:46 AM	33323318			Western Union	\$25.00	\$559.88
COA	11/8/2023 6:39:30 PM	105			Sales	(\$23.00)	\$534.88
COA	11/2/2023 12:23:57 PM	8			Sales	(\$47.00)	\$557.88
COA	11/1/2023 4:08:14 PM	33323305			Western Union	\$300.00	\$604.88
COA	10/31/2023 7:40:10 AM	TL1031			TRUL Withdrawal	(\$30.00)	\$304.88
COA	10/26/2023 1:43:15 PM	35			Sales	(\$48.15)	\$334.88
COA	10/23/2023 1:08:37 PM	33323296			Western Union	\$100.00	\$383.03
COA	10/19/2023 12:41:57 PM	16			Sales	(\$109.80)	\$283.03
COA	10/12/2023 7:01:37 PM	100			Sales	(\$12.20)	\$392.83
COA	10/12/2023 6:56:50 PM	97			Sales	(\$98.00)	\$405.03
COA	10/6/2023 12:25:58 PM	ZIPP0923			Payroll - IPP	\$86.80	\$503.03
COA	10/5/2023 1:11:33 PM	6			Sales	(\$128.40)	\$416.23
COA	10/2/2023 8:09:38 AM	33323275			Western Union	\$25.00	\$544.63
COA	10/1/2023 1:08:34 PM	33323274			Western Union	\$300.00	\$519.63
COA	9/14/2023 1:40:31 PM	8			Sales	(\$112.30)	\$219.63
COA	9/8/2023 11:40:49 AM	YIPP0823			Payroll - IPP	\$58.80	\$331.93
COA	9/7/2023 5:53:38 PM	37			Sales	(\$139.70)	\$273.13
COA	9/3/2023 8:40:31 AM	TL0903			TRUL Withdrawal	(\$15.00)	\$412.83
COA	9/2/2023 9:08:19 PM	33323245			Western Union	\$300.00	\$427.83
COA	8/31/2023 11:07:38 AM	33323243			Western Union	\$25.00	\$127.83
COA	8/27/2023 1:07:33 PM	33323239			Western Union	\$100.00	\$102.83
COA	8/24/2023 12:08:31 PM	3			Sales	(\$120.60)	\$2.83
COA	8/17/2023 1:09:04 PM	8			Sales	(\$100.90)	\$123.43
COA	8/10/2023 1:17:38 PM	6			Sales	(\$116.70)	\$224.33
COA	8/6/2023 2:07:45 PM	33323218			Western Union	\$100.00	\$341.03
COA	8/4/2023 8:39:48 AM	YIPP0723			Payroll - IPP	\$70.00	\$241.03
COA	8/3/2023 12:21:35 PM	6			Sales	(\$129.55)	\$171.03
COA	7/31/2023 7:15:16 AM	33323212			Western Union	\$300.00	\$300.58
COA	7/27/2023 1:33:45 PM	1			Sales	(\$114.80)	\$0.58
COA	7/20/2023 12:13:05 PM	9			Sales	(\$116.90)	\$115.38
COA	7/13/2023 1:06:51 PM	9			Sales	(\$113.00)	\$232.28
COA	7/7/2023 10:41:10 AM	YIPP0623			Payroll - IPP	\$58.80	\$345.28
COA	7/6/2023 6:20:40 PM	100			Sales	(\$12.60)	\$286.48
COA	7/6/2023 6:18:12 PM	98			Sales	(\$114.45)	\$299.08
COA	7/6/2023 6:42:33 AM	TL0706			TRUL Withdrawal	(\$15.00)	\$413.53
COA	7/5/2023 9:07:00 AM	33323186			Western Union	\$25.00	\$428.53
COA	6/30/2023 4:07:46 PM	33323181			Western Union	\$100.00	\$403.53

COA	6/30/2023 3:07:41 PM	33323181	Western Union	\$300.00	\$303.53
COA	6/30/2023 2:36:22 PM	TL0630	TRUL Withdrawal	(\$10.00)	\$3.53
COA	6/29/2023 12:23:29 PM	3	Sales	(\$104.10)	\$13.53
COA	6/22/2023 6:54:32 PM	111	Sales	(\$106.10)	\$117.63
COA	6/15/2023 1:22:27 PM	28	Sales	(\$108.75)	\$223.73
COA	6/9/2023 11:27:02 AM	YIPP0523	Payroll - IPP	\$58.80	\$332.48
COA	6/7/2023 6:51:32 PM	122	Sales	(\$127.75)	\$273.68
COA	6/7/2023 7:10:47 AM	33323158	Western Union	\$100.00	\$401.43
COA	5/31/2023 9:27:01 PM	TL0531	TRUL Withdrawal	(\$2.00)	\$301.43
COA	5/31/2023 9:26:25 PM	TL0531	TRUL Withdrawal	(\$5.00)	\$303.43
COA	5/31/2023 9:08:17 PM	33323151	Western Union	\$300.00	\$308.43

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Total Transactions: 79

Totals: \$496.78 \$0.00

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
COA	\$512.13	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$512.13
Totals:	\$512.13	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$512.13

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
\$2,733.20	\$2,448.95	\$284.70	\$604.88	\$465.86	N/A	N/A