

23-7033

ORIGINAL

No. \_\_\_\_\_

FILED  
FEB 28 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

ON WRIT OF CERTIORARI

BRENT J. DAIGLE — PETITIONER  
(Your Name)

VS.

WARDEN, STEVE KALLIS — 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*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

United States District Court for the (Eastern) District of North Dakota 655 1st Avenue  
North Fargo - 58102 - 4932

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.

By: Brent Joseph Daigle  
(Signature)

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OFFICE OF THE CLERK  
SUPREME COURT, U.S.

# Inmate Statement



Inmate Reg #: 15800059

Inmate Name: DAIGLE, BRENT

Report Date: 02/05/2024

Report Time: 12:39:17 PM

Alpha Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction		Encumbrance	
						Amount	Amount	Ending	Balance
THA	2/2/2024 10:05:38 AM	ZIPPO124			Payroll - IPP	\$19.20			\$19.36
THA	2/2/2024 10:05:38 AM	ZIPPO124			Pre-Release Transaction		\$0.00		-----
THA	1/17/2024 7:19:58 AM	33			Sales	(\$5.00)			\$0.16
THA	1/10/2024 9:00:13 AM	122			Sales	(\$0.50)			\$5.16
THA	1/10/2024 8:54:38 AM	118			Sales	(\$14.80)			\$5.66
THA	1/5/2024 11:51:49 AM	ZIPP1223			Payroll - IPP	\$19.20			\$20.46
THA	1/5/2024 11:51:49 AM	ZIPP1223			Pre-Release Transaction		\$0.00		-----
THA	12/20/2023 6:52:02 AM	22			Sales	(\$0.25)			\$1.26
THA	12/13/2023 7:02:20 AM	22			Sales	(\$18.05)			\$1.51
THA	12/8/2023 12:45:56 PM	ZIPP1123			Payroll - IPP	\$19.20			\$19.56
THA	12/8/2023 12:45:56 PM	ZIPP1123			Pre-Release Transaction		\$0.00		-----
THA	11/15/2023 7:13:05 AM	21			Sales	(\$2.45)			\$0.36
THA	11/8/2023 7:56:44 AM	51			Sales	(\$13.35)			\$2.81
THA	11/3/2023 1:17:35 PM	TL1103			TRUL Withdrawal	(\$5.00)			\$16.16
THA	11/3/2023 12:26:39 PM	ZIPP1023			Payroll - IPP	\$19.20			\$21.16
THA	11/3/2023 12:26:39 PM	ZIPP1023			Pre-Release Transaction		\$0.00		-----
THA	10/12/2023 2:50:55 PM	TL1012			TRUL Withdrawal	(\$2.00)			\$1.96
THA	10/11/2023 8:19:25 AM	52			Sales	(\$9.15)			\$3.96
THA	10/6/2023 2:46:49 PM	TL1006			TRUL Withdrawal	(\$2.00)			\$13.11
THA	10/6/2023 11:00:32 AM	ZIPP0923			Payroll - IPP	\$14.40			\$15.11
THA	10/6/2023 11:00:32 AM	ZIPP0923			Pre-Release Transaction		\$0.00		-----
THA	9/22/2023 2:05:07 PM	TL0922			TRUL Withdrawal	(\$2.00)			\$0.71
THA	9/22/2023 11:40:41 AM	TL0922			TRUL Withdrawal	(\$2.00)			\$2.71
THA	9/13/2023 9:06:59 AM	90			Sales	(\$15.40)			\$4.71
THA	9/8/2023 1:20:39 PM	YIPP0823			Payroll - IPP	\$19.20			\$20.11
THA	9/8/2023 1:20:39 PM	YIPP0823			Pre-Release Transaction		\$0.00		-----
THA	8/9/2023 6:34:28 AM	8			Sales	(\$18.70)			\$0.91
THA	8/4/2023 6:56:05 AM	YIPP0723			Payroll - IPP	\$19.20			\$19.61
THA	8/4/2023 6:56:05 AM	YIPP0723			Pre-Release Transaction		\$0.00		-----
THA	7/12/2023 6:39:00 AM	10			Sales	(\$16.80)			\$0.41
THA	7/8/2023 12:10:02 AM	YICD0623 - 5164			Debt Encumbrance - Released		\$1.99		-----
THA	7/8/2023 12:10:02 AM	YICD0623 - 5010			Debt Encumbrance - Released		\$0.01		-----
THA	7/8/2023 12:10:02 AM	YICD0623			Inmate Co-pay	(\$2.00)			\$17.21
THA	7/7/2023 7:10:04 AM	YIPP0623			Payroll - IPP	\$19.20			\$19.21
THA	7/7/2023 7:10:04 AM	YIPP0623			Pre-Release Transaction		\$0.00		-----
THA	7/7/2023 7:10:04 AM	YICD0623 - 5164			Debt Encumbrance		(\$1.99)		-----
THA	6/27/2023 2:33:47 PM	YICD0623 - 5010			Debt Encumbrance		(\$0.01)		-----
THA	6/21/2023 6:32:51 AM	1			Sales	(\$3.45)			\$0.01
THA	6/14/2023 7:57:42 AM	54			Sales	(\$4.00)			\$3.46

THA	6/7/2023	5	Sales	(\$10.00)	\$7.46
	6:53:28 AM		Debt Encumbrance -	\$1.74	-----
THA	6/3/2023	YICD0523 -	Released		
	12:10:08 AM	4580	Debt Encumbrance -	\$0.26	-----
THA	6/3/2023	YICD0523 -	Released		
	12:10:08 AM	4396	Inmate Co-pay	(\$2.00)	\$17.46
THA	6/3/2023	YICD0523			
	12:10:08 AM		Payroll - IPP	\$19.20	\$19.46
THA	6/2/2023	YIPP0523			
	6:01:24 AM		Pre-Release	\$0.00	-----
THA	6/2/2023	YIPP0523	Transaction		
	6:01:24 AM		Debt Encumbrance	(\$1.74)	-----
THA	6/2/2023	YICD0523 -			
	6:01:24 AM	4580	Debt Encumbrance	(\$0.26)	-----
THA	5/25/2023	YICD0523 -			
	10:21:41 AM	4396			
THA	5/17/2023	24	Sales	(\$3.00)	\$0.26
	7:41:07 AM				
THA	5/10/2023	11	Sales	(\$19.86)	\$3.26
	8:00:51 AM				

1

Total Transactions: 49

Totals: (\$3.76) \$0.00

Current Balances

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrance</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Account Balance</u>
THA	\$19.36	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$19.36
Totals:	\$19.36	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$19.36

Other Balances

<u>National 6 Months Deposits</u>	<u>National 6 Months Withdrawals</u>	<u>Natioanl 6 Months Avg Daily Balance</u>	<u>Local Max Balance - Prev 30 Days</u>	<u>Average Balance - Prev 30 Days</u>	<u>Commissary Restriction Start Date</u>	<u>Commissary Restriction End Date</u>
\$110.40	\$110.65	\$4.39	\$20.46	\$5.45	N/A	N/A

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

I, Brent Joseph Daigle, 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	\$ 19.00	\$ 0.00	\$ 19.00	\$ 0.00
Self-employment	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Income from real property (such as rental income)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Interest and dividends	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Gifts	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Alimony	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Child Support	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Retirement (such as social security, pensions, annuities, insurance)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Disability (such as social security, insurance payments)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Unemployment payments	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Public-assistance (such as welfare)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Other (specify): _____	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Total monthly income:</b>	<b>\$ 19.00</b>	<b>\$ 0.00</b>	<b>\$ 19.00</b>	<b>\$ 0.00</b>

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
United States Penitentiary	P.O. Box 33 Terre Haute, IN 47808	2019 - 2024	\$ 6.00 to 19.00 \$ \$

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? \$ 0.00

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
N / A	N / A	\$ N / A	\$ 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 \$ 0.00

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

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

Name	Relationship	Age
<u>N / A</u>	<u>N / A</u>	<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>0.00</u>	\$ <u>0.00</u>
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		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0.00</u>	\$ <u>0.00</u>
Home maintenance (repairs and upkeep)	\$ <u>0.00</u>	\$ <u>0.00</u>
Food	\$ <u>0.00</u>	\$ <u>0.00</u>
Clothing	\$ <u>0.00</u>	\$ <u>0.00</u>
Laundry and dry-cleaning	\$ <u>0.00</u>	\$ <u>0.00</u>
Medical and dental expenses	\$ <u>3.00 Co. pay</u>	\$ <u>0.00</u>

	<b>You</b>	<b>Your spouse</b>
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>N/A</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ <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>N/A</u>	\$ <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>Hygiene</u>	\$ <u>10.00</u> +	\$ <u>0.00</u>
<b>Total monthly expenses:</b>	<b>\$ <u>19.00</u></b>	<b>\$ <u>0.00</u></b>

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? N/A

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? N/A

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.

Due to my poverty, I, am unable to pay the cost of fees or give security therefore as I am being held captive, made a prisoner owned and controlled at U.S.P. Terre Haute, with no JURISDICTION.

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

Executed on: February 26, 2024

By: Brent Joseph Daigle  
(Signature)