

No. 23-7210

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Margese Lynn Payne — PETITIONER
(Your Name)

Supreme Court, U.S.
FILED
MAR 30 2024
OFFICE OF THE CLERK

VS.

Janet Dowling-warden — 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.

Margese Lynn Payne
(Signature)

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

I, Margese Lynn Payne, 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</u> | \$ <u>0</u> | \$ <u>0</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>0</u> | \$ <u>0</u> | \$ <u>0</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>N/A</u> | \$ <u>0</u> | \$ <u>0</u> | \$ <u>0</u> | \$ <u>0</u> |
| Total monthly income: | \$ <u>0</u> | \$ <u>0</u> | \$ <u>0</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 |
|----------|---------|---------------------|-------------------|
| N/A | N/A | N/A | \$ 0 |
| | | | \$ 0 |
| | | | \$ 0 |

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 | \$ 0 |
| | | | \$ 0 |
| | | | \$ 0 |

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 |
|---|-----------------|------------------------|
| N/A | \$ 0 | \$ 0 |
| | \$ 0 | \$ 0 |
| | \$ 0 | \$ 0 |

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 0
- Other real estate
Value 0
- Motor Vehicle #1
Year, make & model N/A
Value 0
- Motor Vehicle #2
Year, make & model N/A
Value 0
- Other assets
Description N/A
Value 0

| | 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>N/A</u> | \$ <u>0</u> | \$ <u>0</u> |
| Taxes (not deducted from wages or included in mortgage payments) | | |
| (specify): <u>N/A</u> | \$ <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>N/A</u> | \$ <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>N/A</u> | \$ <u>0</u> | \$ <u>0</u> |
| Total monthly expenses: | \$ <u>0</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? 0

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? 0

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

N/A

12. Provide any other information that will help explain why you cannot pay the costs of this case.
Incarcerated and do not have funds to pay the cost.

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

Executed on: March 21, 2024, 2024

Margere Lynn Payne
(Signature)

| | | | | |
|------------------|----------------------------|--------------------|-------------|-----------------|
| Offender# | Offender/Group Name | Institution | Unit | Cell/Bed |
| 0588840 | PAYNE, MARQESE | DCCC | UNIT F-A | BED 203 (L) |

Transaction List

| Transaction Date | Transaction Type | Source Document # | Receipt#/Check# | Sender Name | Amount | Account Balance |
|-------------------------|-------------------------|--------------------------|------------------------|--------------------|---------------|------------------------|
| 09/01/2023 | BEGINNING BALANCE | | | | | \$249.09 |
| 09/03/2023 | JPAY | 0000000160654871 | | WILLIAMS, REBECCA | \$37.00 | \$286.09 |
| 09/05/2023 | CLUB SALES | 588840 FOOD | | | (\$38.30) | \$247.79 |
| 09/18/2023 | SALES | 13 | | | (\$11.51) | \$236.28 |
| 09/19/2023 | JPAY | 0000000161166106 | | WILLIAMS, REBECCA | \$100.00 | \$336.28 |
| 09/26/2023 | SALES | 18 | | | (\$86.41) | \$249.87 |
| 09/28/2023 | MEDICAL COPAY | 03085487 | | | (\$4.00) | \$245.87 |
| 09/30/2023 | GANG PAY | | | | \$14.45 | \$260.32 |
| 10/03/2023 | SALES | 9 | | | (\$21.37) | \$238.95 |
| 10/09/2023 | JPAY | 0000000161891495 | | WILLIAMS, REBECCA | \$25.00 | \$263.95 |
| 10/09/2023 | SALES | 1 | | | (\$24.55) | \$239.40 |
| 10/16/2023 | JPAY | 0000000162107323 | | WILLIAMS, REBECCA | \$30.00 | \$269.40 |
| 10/16/2023 | SALES | 8 | | | (\$29.64) | \$239.76 |
| 10/23/2023 | JPAY | 0000000162325628 | | WILLIAMS, REBECCA | \$25.00 | \$264.76 |
| 10/24/2023 | SALES | 12 | | | (\$25.06) | \$239.70 |
| 10/31/2023 | GANG PAY | | | | \$14.45 | \$254.15 |
| 11/17/2023 | JPAY | 0000000163184795 | | WILLIAMS, REBECCA | \$100.00 | \$354.15 |
| 11/20/2023 | SALES | 5 | | | (\$52.34) | \$301.81 |
| 11/28/2023 | SALES | 12 | | | (\$57.79) | \$244.02 |
| 11/30/2023 | GANG PAY | | | | \$14.45 | \$258.47 |
| 12/04/2023 | JPAY | 0000000163752791 | | WILLIAMS, REBECCA | \$25.00 | \$283.47 |
| 12/04/2023 | SALES | 22 | | | (\$35.38) | \$248.09 |
| 12/18/2023 | JPAY | 0000000164236382 | | WILLIAMS, REBECCA | \$35.00 | \$283.09 |
| 12/19/2023 | SALES | 24 | | | (\$38.18) | \$244.91 |
| 12/23/2023 | JPAY | 0000000164401488 | | WILLIAMS, REBECCA | \$35.00 | \$279.91 |
| 12/27/2023 | SALES | 41 | | | (\$28.85) | \$251.06 |
| 12/31/2023 | GANG PAY | | | | \$25.00 | \$276.06 |
| 01/02/2024 | SALES | 41 | | | (\$26.36) | \$249.70 |
| 01/03/2024 | LEGAL COPAY | 12/29/23DC | | | (\$0.32) | \$249.38 |
| 01/09/2024 | JPAY | 0000000164979131 | | WILLIAMS, REBECCA | \$50.00 | \$299.38 |
| 01/09/2024 | LEGAL COPAY | 12/29/23DC | | | (\$2.92) | \$296.46 |
| 01/09/2024 | SALES | 33 | | | (\$44.67) | \$251.79 |
| 01/17/2024 | LEGAL COPAY | 1/17/24DC | | | (\$2.41) | \$249.38 |
| 01/31/2024 | GANG PAY | | | | \$25.00 | \$274.38 |
| 01/31/2024 | LEGAL COPAY | 1/17/24DC | | | (\$1.01) | \$273.37 |
| 01/31/2024 | LEGAL COPAY | 1/29/24DC | | | (\$0.67) | \$272.70 |
| 02/05/2024 | SALES | 45 | | | (\$17.82) | \$254.88 |
| 02/06/2024 | JPAY | 0000000165879113 | | WILLIAMS, REBECCA | \$25.00 | \$279.88 |
| 02/28/2024 | SALES | 14 | | | (\$24.11) | \$255.77 |
| 02/29/2024 | GANG PAY | | | | \$25.00 | \$280.77 |
| 03/04/2024 | SALES | 16 | | | (\$20.33) | \$260.44 |
| 03/05/2024 | JPAY | 0000000166882098 | | WILLIAMS, REBECCA | \$45.00 | \$305.44 |
| 03/14/2024 | SALES | 81 | | | (\$44.93) | \$260.51 |

Summary Balances

| | | | | | | |
|--------------------------|------------------------|-------------------------|--------------------------|--------------------|-----------------------------|------------------------|
| Available Balance | Savings Balance | Debt Encumbrance | Other Encumbrance | Instruments | Administrative Holds | Account Balance |
| \$1.13 | \$259.38 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$260.51 |