

IN THE SUPREME COURT OF THE UNITED STATES

EDGAR VAZQUEZ,

Petitioner,

CASE # \_\_\_\_\_

v.

UNITED STATES OF AMERICA,

Respondent.

\_\_\_\_\_ /

**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

The Petitioner, EDGAR VAZQUEZ, by and through undersigned counsel, respectfully moves the Court in accordance with Supreme Court Rule 39, to grant the Petitioner leave to proceed in *forma pauperis* to file the concurrently submitted Petition for a Writ of Certiorari without prepayment of costs. The Petitioner has been incarcerated for twelve (12) years and eight (8) months and therefore does not have the resources to cover the costs. The petitioner has not previously been granted leave to proceed in *forma pauperis* in any other court. Attached hereto is the executed Financial Affidavit in support of this request.

Respectfully submitted,

JOFFE LAW, P.A.  
Attorney for Defendant  
110 SE 6<sup>th</sup> Street  
Suite 1700  
Fort Lauderdale, Florida 33301  
Telephone: (954) 723-0007  
Facsimile: (954) 723-0033

By David J. Joffe  
DAVID J. JOFFE, ESQUIRE  
FLORIDA BAR NO. 0814164

**CERTIFICATE OF SERVICE**

I, David J. Joffe, counsel for the above Petitioner, do hereby certify that a true and correct copy of this motion was duly served on the United States by placing same in the U.S. Mail, addressed to: SOLICITOR GENERAL OF THE UNITED STATES, Room 5614, Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530-0001, this 30<sup>th</sup> day of April, 2024.

  
\_\_\_\_\_  
DAVID J. JOFFE, ESQUIRE

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

I, EDGAR VAZQUEZ, 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.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
Employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ <u>      </u>	\$ <u>0</u>	\$ <u>      </u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>      </u>	\$ <u>0</u>	\$ <u>      </u>
Interest and dividends	\$ <u>0</u>	\$ <u>      </u>	\$ <u>0</u>	\$ <u>      </u>
Gifts	\$ <u>0</u>	\$ <u>      </u>	\$ <u>0</u>	\$ <u>      </u>
Alimony	\$ <u>0</u>	\$ <u>      </u>	\$ <u>0</u>	\$ <u>      </u>
Child Support	\$ <u>0</u>	\$ <u>      </u>	\$ <u>0</u>	\$ <u>      </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>      </u>	\$ <u>0</u>	\$ <u>      </u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>      </u>	\$ <u>0</u>	\$ <u>      </u>
Unemployment payments	\$ <u>0</u>	\$ <u>      </u>	\$ <u>0</u>	\$ <u>      </u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>      </u>	\$ <u>0</u>	\$ <u>      </u>
Other (specify): _____	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>	\$ <u>      </u>
<b>Total monthly income:</b>	<b>\$ <u>0</u></b>	<b>\$ <u>N/A</u></b>	<b>\$ <u>0</u></b>	<b>\$ <u>N/A</u></b>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
N/A Incarcerated	N/A	N/A	\$ 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.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
N/A	N/A	N/A	\$ 0
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ 0  
 Below, state any money you or your spouse have in bank accounts or in any other financial institution.

<b>Financial institution</b>	<b>Type of account</b>	<b>Amount you have</b>	<b>Amount your spouse has</b>
N/A	N/A	\$ 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 \$ 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

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
N/A	\$ 0	\$ 0
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
N/A	N/A	N/A
_____	_____	_____
_____	_____	_____

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	\$ N/A
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)	\$ 0	\$ 0
Home maintenance (repairs and upkeep)	\$ 0	\$ 0
Food	\$ 0	\$ 0
Clothing	\$ 0	\$ 0
Laundry and dry-cleaning	\$ 0	\$ 0
Medical and dental expenses	\$ 0	\$ 0

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

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? \_\_\_\_\_

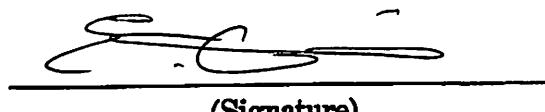
If yes, state the person's name, address, and telephone number:

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

I have been incarcerated for twelve (12) years and eight (8) months. No money.

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

Executed on: 02 / 22, 2024

  
(Signature)