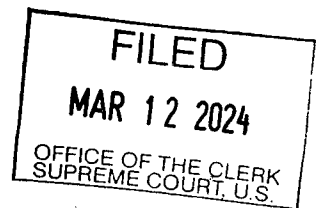


No. 23 - 7820



IN THE
SUPREME COURT OF THE UNITED STATES

SAMUEL WINDHAM, JR. — PETITIONER
(Your Name)

VS.

CALIFORNIA SUPREME COURT — 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):

CALIFORNIA SUPREME CT, 9TH CIR. CT. OF APPEALS, CALIFORNIA EASTERN
DISTRICT CT. OF APPEALS, SIXTH DISTRICT CT. OF APPEALS

☐ 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: CA Sup.
CT. RULE, SIXTH APPELLATE CT. RULE, SB 1437 NOW 1172.6, or

☒ a copy of the order of appointment is appended.

Samuel Windham Jr.
(Signature)

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

I, SAMUEL WINDHAM, JR., 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>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>

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

\$
\$
\$

\$
\$
\$

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

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)

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

INCARCERATED

Utilities (electricity, heating fuel, water, sewer, and telephone)

Home maintenance (repairs and upkeep)

Food

Clothing

Laundry and dry-cleaning

Medical and dental expenses

\$
\$
\$
\$

\$
\$
\$
\$

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:

N/A

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:

N/A

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

INCARCERATED 40 YEARS TO DATE
WITH NO FUNDS OR FUTURE FUNDS

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

Executed on: MARCH 12, 20 24

CORRECTED MAY 16, 2024 Snp.

JURISDICTION CORRECTED JUNE 19, 2024

Samuel Windham 1706689
(Signature)

APRIL BOELK
AUTOMATIC APPEALS SUPERVISOR



EARL WARREN BUILDING
350 McALLISTER STREET
SAN FRANCISCO, CA 94102
(415) 895-7000

Supreme Court of California

JORGE E. NAVARRETE
CLERK AND EXECUTIVE OFFICER
OF THE SUPREME COURT

September 14, 2020

Samuel Windham
CDC# D-06689
California Medical Facility
P.O. Box 2500
Vacaville, CA 95696

Re: S263030 — People v. Samuel Windham

Dear Mr. Windham:

Enclosed is a copy of the order appointing Jeffrey Kross, Attorney at Law, to represent you on the appeal now pending in this court.

If the record on appeal is in your possession, please forward it to counsel at the address below:

Jeffrey Kross
Attorney at Law
P.O. Box 2252
Sebastopol, CA 95473

Telephone: (707) 823-5665

Future communications concerning the appeal should be directed to your appointed attorney.

Sincerely,

JORGE E. NAVARRETE
Clerk and
Executive Officer of the Supreme Court

A handwritten signature in black ink, appearing to read "T. Zhang", is written over a horizontal line.

By: T. Zhang, Deputy Clerk

TZ/pw
Enclosure

cc: Jeffrey Kross, Attorney at Law
Rec.

SUPREME COURT
FILED

SEP 14 2010

Jorge Navarrete Clerk

No. S263030

Deputy

IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE, Plaintiff and Respondent.

v.

SAMUEL WINDHAM, Defendant and Appellant.

Upon request of appellant for appointment of counsel, Jeffrey Kross is hereby appointed to represent appellant on the appeal now pending in this court.

CANTIL-SAKAUYE
Chief Justice

SIXTH DISTRICT APPELLATE PROGRAM
95 S. Market Street, Suite 570
San Jose, CA 95113
(408) 241-6171

COPY

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT**

People v.

) H047278

RECEIVED
SEP 23 2019

) MONTEREY

Samuel Windham

) Superior Court No. MCR4493

COUNSEL APPOINTMENT ORDER

Notice is hereby given that the SIXTH DISTRICT APPELLATE PROGRAM recommends the hereinafter named attorney for purposes of representing the above-named client.

Jeffrey Kross September 18, 2019

Respectfully submitted:



PATRICK J. MCKENNA
Executive Director

Attorney's Address:

Jeffrey Kross (142882)
P.O. Box 2252

Sebastopol, CA 95473-2252
(707) 823-8665
jeffskross@earthlink.net

Client's Address:

Samuel Windham DO6689
California Medical Facility
P.O. Box 2000

Vacaville, CA 95696-2000
I:JG

28107
3/1/17