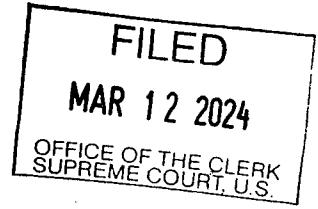


23 - 7820  
No. \_\_\_\_\_



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 117d.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>
<b>Total monthly income:</b>	<b>\$ <u>0</u></b>	<b>\$ <u>0</u></b>	<b>\$ <u>0</u></b>	<b>\$ <u>0</u></b>

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>	\$ _____	\$ _____

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>N/A</u>	<u>N/A</u>	<u>N/A</u>
<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>RENTED</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)	\$ _____	\$ _____
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? 14/0

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.

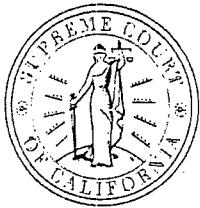
Executed on: MARCH 12, 2024

CORRECTED MAY 16, 2024 SAWK

JURISDICTION CORRECTED JUNE 19, 2024

Damoy Wurdamp D-06689  
(Signature)

APRIL BOELK  
AUTOMATIC APPEALS SUPERVISOR



EARL WARREN BUILDING  
350 McALLISTER STREET  
SAN FRANCISCO, CA 94192  
(415) 655-7090

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:

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

Sincerely,

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

T. Hay

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

Samuel Windham

) MONTEREY

) 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

28105  
JPG