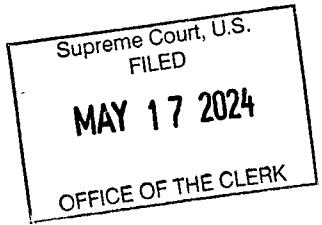


24-5147 ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES



Lamon D. Boyd — PETITIONER  
(Your Name)

VS.

State of Ohio — 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.

Lamon Boyd

(Signature)

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

I, Lamon Boyd, 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>432.00</u>	\$ <u>0</u>	\$ <u>36.00</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>300.00</u>	\$ <u>0</u>	\$ <u>2</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>120.00</u>	\$ <u>0</u>	\$ <u>10.00</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>612.00</u></b>	<b>\$ <u>0</u></b>	<b>\$ <u>26.00</u></b>	<b>\$ <u>0</u></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
O.D.R.C	P.O. Box 209 Orbit, Ohio 43146	6/22/22	\$ 36.00
"			\$ 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	6/22/22	\$ 0
"	"	6/22/22	\$ 0
"	"	6/22/22	\$ 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.

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

Other real estate  
Value N/A

Motor Vehicle #1  
Year, make & model N/A  
Value

Motor Vehicle #2  
Year, make & model N/A  
Value

Other assets  
Description N/A 0  
Value

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>0</u>	\$ <u>0</u>
	\$ <u>0</u>	\$ <u>0</u>
	\$ <u>0</u>	\$ <u>0</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
"L.T."	Daughter	12
" "	" "	" "
" "	" "	" "

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

	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>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>
<b>Total monthly expenses:</b>	\$ <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 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? 0 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.

In Prison.

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

Executed on: May 15, 2024

Lamron Boyd

(Signature)

# Ohio Department of Rehabilitation and Correction

SECTION I - To be completed by cashier prior to this form being presented to the inmate for completion of SECTION II - Affidavit of Indigency.

I, Randa Lowrey, cashier at the Pickaway Correctional Institution

certify that the following is a true and accurate reflection of the status of the account maintained at this institution for the benefit of:

Inmate Name: Lamon D. Boyd	Inmate Number: A-798900
-------------------------------	----------------------------

*The Prison Litigation Reform Act (PLRA) requires that the time period to be considered is the preceding six months. It also requires that, "...if financial activity is less than six months due to less than six months of incarceration, then note this fact on the statement. If lack of history is due to recent transfer, then obtain missing month-end reports from sending cashier to complete the six month period. The sending cashier must similarly certify the monthend reports."*

The time period being reported below is:  Six months  Fewer than six months, beginning 11/09/2023

The time period is fewer than six months, because:  Period of Incarceration  Transfer

Account Balance as of 05/09/2024 : \$ 13.15

Total state pay credited for the report period; \$ 114.00

Average monthly state pay for the report period; \$ 19.00

Total funds received from all sources, excluding state pay, for the report period; \$ 716.01

Total amount spent in inmate's commissary during the same period; \$ 720.51

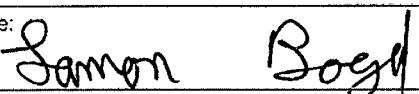
Signature of Cashier:  Date: 5/9/24

## AFFIDAVIT OF INDIGENCE

SECTION II - To be completed by inmate after cashier's statement is completed.

I, Lamon Boyd, being first duly sworn, says that he/she does not have sufficient funds to pay the filing fee and other costs of prosecuting this complaint against the State of Ohio, Department of Rehabilitation and Correction, in the Court of Claims of Ohio and submits the cashier's statement (Section I) in support of said allegation of indigency.

I hereby represent that the information set forth in the cashier's statement concerning my financial condition is true and complete to the best of my knowledge and belief.

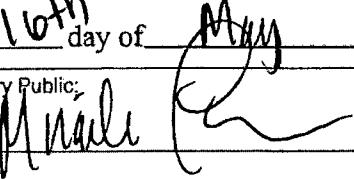
Signature of Inmate:  Inmate Number: A-798900

Sworn to and subscribed to me in my presence this 10th day of May, 2024.



MIRACLE DAWN THURMAN  
Notary Public  
State of Ohio  
My Comm. Expires  
October 1, 2028

DRC 2257 E (08/97)

Notary Public: 

RECEIVED  
ACA 4262, 4324

MAY 22 2024

OFFICE OF THE CLERK

05/09/2024

## Pickaway Correctional Institution

## Inmate Demand Statement

Inmate Name: BOYD, LAMON D Number: A798900  
 Lock Location: PCI,C,02,,034

Date Range: 11/09/2023 Through 05/10/2024

Beginning Account Balances: Ending Account Balances:

	Saving	Debt	Payable		Saving	Debt	Payable
Pos Exemption	\$2.12	\$0.00	\$0.00	Pos Exemption	\$0.00	\$0.00	\$0.00
Inmate's Perso	\$0.26	\$0.00	\$0.00	Inmate's Personal	\$13.15	\$0.00	\$0.00
<b>Begin Totals</b>	<b>\$2.38</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>End Totals</b>	<b>\$13.15</b>	<b>\$0.00</b>	<b>\$0.00</b>

Transaction Date / Inst.	Transaction Amount	Description	Comment	Saving Balance	Debt Balance	Payable Balance
11/13/2023	\$100.00	OffConnect Kiosk Deposit	21745645510435/prear, shanee	\$102.38	\$0.00	\$0.00
PCI						
11/21/2023	(\$97.47)	Commissary Sale	Ticket Number 827632	\$4.91	\$0.00	\$0.00
PCI						
11/22/2023	(\$122.00)	Court Costs	validation 11/29/23	\$0.00	(\$117.09)	\$4.91
PCI						
12/01/2023	\$15.00	Reservation to Pos Exemption	Odrc Pos Exemption	\$0.00	(\$117.09)	\$4.91
PCI						
12/01/2023	\$10.00	Reservation to AR5120 - Exemption	AR5120 Additional Exemption	\$0.00	(\$117.09)	\$4.91
PCI						
12/08/2023	\$19.00	State Pay	State Pay	\$19.00	(\$117.09)	\$4.91
PCI						
12/08/2023	(\$0.40)	Copy Charges	COPIES 11/22/2023	\$18.60	(\$117.09)	\$4.91
PCI						
12/08/2023	\$20.00	Incentive Pay	nursing assistant 11/23	\$34.35	(\$112.84)	\$9.16
PCI						
12/08/2023	(\$20.00)	Reversed Incentive Pay	Reversed Task No. 90458059	\$18.60	(\$117.09)	\$4.91
PCI						
12/08/2023	\$19.00	Incentive Pay	Nursing Assistant	\$34.10	(\$113.59)	\$8.41
PCI						
12/11/2023	\$122.00	Court Costs	Case correction	\$42.51	\$0.00	\$0.00
PCI						
12/11/2023	(\$122.00)	Court Costs	validation 11/29/23	\$42.51	(\$122.00)	\$0.00
PCI						

12/11/2023	(\$9.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	Child Support 11/2023	\$33.01	(\$122.00)	\$0.00
PCI					
12/11/2023	(\$0.40) Copy Charges	COPIES 12/08/2023	\$32.61	(\$122.00)	\$0.00
PCI					
12/14/2023	(\$0.40) Copy Charges	COPIES 12/11/2023	\$32.21	(\$122.00)	\$0.00
PCI					
12/18/2023	\$122.00 Court Costs	Payment outside on 12/23	\$32.21	\$0.00	\$0.00
PCI					
12/21/2023	(\$9.80) Postage Charges (USPS)	POSTAGE 12/13/2023	\$22.41	\$0.00	\$0.00
PCI					
12/26/2023	(\$9.80) Postage Charges (USPS)	POSTAGE 12/13/2023	\$12.61	\$0.00	\$0.00
PCI					
12/26/2023	\$9.80 Reversed Postage Charges (USPS)	Reversed Task No. 90620404	\$22.41	\$0.00	\$0.00
PCI					
12/27/2023	(\$2.07) Postage Charges (USPS)	POSTAGE 12/26/2023	\$20.34	\$0.00	\$0.00
PCI					
12/27/2023	(\$10.00) Postage Charges (USPS)	POSTAGE 12/26/2023	\$10.34	\$0.00	\$0.00
PCI					
12/27/2023	(\$4.80) Postage Charges (USPS)	POSTAGE 12/26/2023	\$5.54	\$0.00	\$0.00
PCI					
01/01/2024	\$9.46 Reservation to Pos Exemption	Odrcc Pos Exemption	\$5.54	\$0.00	\$0.00
PCI					
01/04/2024	\$60.00 OffConnect Kiosk Deposit	21798015189926/White, Stacy	\$65.54	\$0.00	\$0.00
PCI					
01/04/2024	(\$64.87) Commissary Sale	Ticket Number 831998	\$0.67	\$0.00	\$0.00
PCI					
01/04/2024	(\$0.20) Copy Charges	COPIES 12/27/2023	\$0.47	\$0.00	\$0.00
PCI					
01/05/2024	\$19.00 State Pay	State Pay	\$19.47	\$0.00	\$0.00
PCI					
01/05/2024	\$20.00 Incentive Pay	Nursing Assistant	\$39.47	\$0.00	\$0.00
PCI					
01/05/2024	(\$20.00) Reversed Incentive Pay	Reversed Task No. 90802793	\$19.47	\$0.00	\$0.00
PCI					
01/05/2024	\$19.00 Incentive Pay	Nursing Assistant	\$38.47	\$0.00	\$0.00
PCI					

01/08/2024	(\$9.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	Child Support 12/2023	\$28.97	\$0.00	\$0.00
PCI					
01/19/2024	\$18.01 OffConnect Kiosk Deposit	21822984877731/Boyd, Ladonna	\$46.98	\$0.00	\$0.00
PCI					
01/19/2024	\$46.00 OffConnect Kiosk Deposit	21823018758309/White, Stacy	\$92.98	\$0.00	\$0.00
PCI					
01/19/2024	(\$75.81) Commissary Sale	Ticket Number 833900	\$17.17	\$0.00	\$0.00
PCI					
01/29/2024	\$45.00 OffConnect Kiosk Deposit	21823289245733/White, Stacy	\$62.17	\$0.00	\$0.00
PCI					
01/29/2024	(\$55.40) Commissary Sale	Ticket Number 834632	\$6.77	\$0.00	\$0.00
PCI					
02/01/2024	\$0.00 \$15.00 Reservation to Pos Exemption	Odrcc Pos Exemption	\$6.77	\$0.00	\$0.00
PCI					
02/03/2024	\$70.00 OffConnect Kiosk Deposit	21823407632035/White, Stacy	\$76.77	\$0.00	\$0.00
PCI					
02/09/2024	\$19.00 State Pay	State Pay	\$95.77	\$0.00	\$0.00
PCI					
02/10/2024	\$79.00 OffConnect Kiosk Deposit	21852745003941/White, Stacy	\$174.77	\$0.00	\$0.00
PCI					
02/12/2024	(\$4.75) Payment to CHILD SUPPORT PAYMENT CENTRAL	Child Support 01/2024	\$170.02	\$0.00	\$0.00
PCI					
02/13/2024	(\$100.30) Commissary Sale	Ticket Number 836180	\$69.72	\$0.00	\$0.00
PCI					
02/27/2024	(\$59.49) Commissary Sale	Ticket Number 838046	\$10.23	\$0.00	\$0.00
PCI					
03/01/2024	\$0.00 \$15.00 Reservation to Pos Exemption	Odrcc Pos Exemption	\$10.23	\$0.00	\$0.00
PCI					
03/05/2024	(\$0.65) Copy Charges	COPIES 02/20/2024	\$9.58	\$0.00	\$0.00
PCI					
03/07/2024	\$1.91 CSEA Check	Child Support	\$11.49	\$0.00	\$0.00
PCI					
03/08/2024	\$19.00 State Pay	State Pay	\$30.49	\$0.00	\$0.00
PCI					

03/08/2024	\$20.00 Incentive Pay	Nursing Assistant	\$50.49	\$0.00	\$0.00
PCI					
03/08/2024	(\$20.00) Reversed Incentive Pay	Reversed Task No. 91610102	\$30.49	\$0.00	\$0.00
PCI					
03/08/2024	\$19.00 Incentive Pay	Nursing Assistant	\$49.49	\$0.00	\$0.00
PCI					
03/11/2024	(\$9.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	Child Support 02/2024	\$39.99	\$0.00	\$0.00
PCI					
03/13/2024	\$35.00 OffConnect Kiosk Deposit	21853786709670/White, Stacy	\$74.99	\$0.00	\$0.00
PCI					
03/13/2024	(\$73.23) Commissary Sale	Ticket Number 839555	\$1.76	\$0.00	\$0.00
PCI					
04/01/2024	\$0.00 \$15.00 Reservation to Pos Exemption	Odrc Pos Exemption	\$1.76	\$0.00	\$0.00
PCI					
04/03/2024	\$31.00 OffConnect Kiosk Deposit	21910458933540/White, Stacy	\$32.76	\$0.00	\$0.00
PCI					
04/05/2024	\$19.00 State Pay	State Pay	\$51.76	\$0.00	\$0.00
PCI					
04/05/2024	\$20.00 Incentive Pay	nursing assistant 3/24	\$71.76	\$0.00	\$0.00
PCI					
04/05/2024	(\$20.00) Reversed Incentive Pay	Reversed Task No. 91976240	\$51.76	\$0.00	\$0.00
PCI					
04/05/2024	\$19.00 Incentive Pay	Nursing Assistant	\$70.76	\$0.00	\$0.00
PCI					
04/08/2024	(\$9.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	Child Support 03/2024	\$61.26	\$0.00	\$0.00
PCI					
04/10/2024	(\$58.54) Commissary Sale	Ticket Number 841883	\$2.72	\$0.00	\$0.00
PCI					
04/15/2024	(\$2.40) Copy Charges	COPIES 04/03/2024	\$0.32	\$0.00	\$0.00
PCI					
04/17/2024	\$46.00 OffConnect Kiosk Deposit	21915000792613/White, Stacy	\$46.32	\$0.00	\$0.00
PCI					
04/17/2024	(\$0.45) Copy Charges	COPIES 04/17/2024	\$45.87	\$0.00	\$0.00
PCI					

04/22/2024	(\$5.04) Postage Charges (USPS)	POSTAGE 04/19/2024	\$40.83	\$0.00	\$0.00
PCI					
04/22/2024	(\$5.04) Postage Charges (USPS)	POSTAGE 04/19/2024	\$35.79	\$0.00	\$0.00
PCI					
04/22/2024	(\$5.04) Postage Charges (USPS)	POSTAGE 04/19/2024	\$30.75	\$0.00	\$0.00
PCI					
04/24/2024	(\$29.49) Commissary Sale	Ticket Number 843419	\$1.26	\$0.00	\$0.00
PCI					
05/01/2024	\$0.00 \$15.00 Reservation to Pos Exemption	Odrc Pos Exemption	\$1.26	\$0.00	\$0.00
PCI					
05/02/2024	\$45.00 OffConnect Kiosk Deposit	21942735089190/Watters, Angelica	\$46.26	\$0.00	\$0.00
PCI					
05/03/2024	\$19.00 State Pay	State Pay	\$65.26	\$0.00	\$0.00
PCI					
05/03/2024	\$19.00 Incentive Pay	Nursing Assistant	\$84.26	\$0.00	\$0.00
PCI					
05/06/2024	(\$9.50) Payment to CHILD SUPPORT PAYMENT CENTRAL	Child Support 04/2024	\$74.76	\$0.00	\$0.00
PCI					
05/06/2024	(\$1.70) Copy Charges	COPIES 04/22/2024	\$73.06	\$0.00	\$0.00
PCI					
05/09/2024	\$46.00 OffConnect Kiosk Deposit	21942935065766/Watters, Angelica	\$119.06	\$0.00	\$0.00
PCI					
05/09/2024	(\$105.91) Commissary Sale	Ticket Number 845000	\$13.15	\$0.00	\$0.00
PCI					

Outstanding Debts:

Start Date	Description	Case	Agency	County	Total Debt	Paid to Date	Balance Owed
11/22/2023	Court Costs	CA0239447	Div. of Domestic Relations		\$0.00	\$0.00	\$0.00
12/11/2023	Court Costs	CA029447	Div. of Domestic Relations		\$0.00	\$0.00	\$0.00
07/05/2022	Transfer Loan Repayment	Lock 07/01/2022	PCI I&E		(\$5.62)	\$5.62	\$0.00
08/01/2022	State Clothing/Property	Whites 07/27/2022	Treasurer of State of Ohio		(\$11.58)	\$11.58	\$0.00
<b>Total Outstanding Case Balances</b>					<b>\$0.00</b>		

Outstanding Holds:

Start Date	Description	Case	Agency	County	Total Debt	Paid to Date	Balance Owed

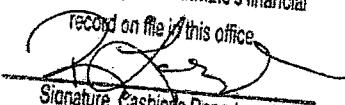
09/30/2022	Child and Spousal Support	7110436974	CHILD SUPPORT PAYMENT CENTRAL	Montgomery	\$141.24
09/30/2022	Child and Spousal Support	7091978192	CHILD SUPPORT PAYMENT CENTRAL	Montgomery	\$23.07
<b>Total Outstanding Case Holds</b>			<b>\$0.00</b>		

Outstanding Investments / EPC:

Investment Type	Investment Type Description	Invest Company	Company Description	Balance

This Financial Information was given to the inmate prior to it being filed; the information may have been changed after certification and before filing.

I certify that this document is a true and accurate copy of this inmate's financial record on file in this office.

  
 Signature, Cashier's Department  
 5/9/24  
 Date

**Affidavit of Indigence**  
**IN THE UNITED STATES SUPREME COURT**

I Lamon Boyd, hereby swear and declare under the penalty of perjury, and of felony, that I am of sound mind to state the facts hereinbelow, so help me God!

That:

1. Affiant, only receives \$36.00.00 dollars per Month, from the Department of Rehabilitation and Correction, as a Nursing Assistant.

Affiant Sayeth Naught,

Lamon Boyd

Lamon Boyd

Sworn to and Signed in my Presence on this 16<sup>th</sup> day of May, 2024.

Miracle D. Thurman 10.1.24  
Notary Public Signature

Notary Seal:



MIRACLE DAWN THURMAN  
Notary Public  
State of Ohio  
My Comm. Expires  
October 1, 2028

## AFFIDAVIT OF VERITY

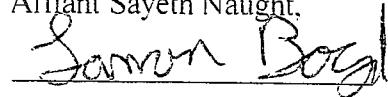
I, Lamon Boyd, 798900.00 herein below swear and declare under penalty of perjury and of felony, that I am of sound mind and has stated these facts to the best of my knowledge so Help Me God!

That:

1. The Affiant, was never provided with the copy of the full police report and the fact that the State of Ohio, Counsels, and Detective Howard has hidden the actual part of the police report dealing with officer George Kloos, has substantively prevented justice from being served in this case, do to Kloos not testifying, is at issue, because the Affiant knows this officer's report exist, but has been hidden or destroyed. The need to have had this officer Kloos testify is now and would have been material during the suppression hearing and trial, proven that the Dayton Police Departments law enforcement officer's lead by Kloos and Myers unconstitutionally entered the Affiant's home without a warrant on January 2, 2021.
2. The Affiant, Boyd did file a timely Appellate Rule 26(B), that was denied. The affiant missed the deadline to file his Appeal to the Ohio Supreme Court and had to file his grievance procedure in order to complete his administrative remedy within the Pickaway Correctional Institutions Grievance procedure O.A.C. 5120-9-31, to fulfil the PLRA, exhaustion requirements, because the P.C.I. mail room withheld that App. R. 26(B) for 44 days, to which the Appellant Boyd's was not able to file the timely Notice of Appeal, and had to seek a delayed appeal. The affiant after proving the P.C.I. mail room actually did cause the 44-day delay leaving Boyd with only one day to file the appeal to the Ohio Supreme Court, will file the Delayed Notice of Appeal and address this in the Ohio Supreme Court... than bring it back before this United States Supreme Court, and is the reason a Stay has been requested. See attached proof.
3. The same mail room at P.C.I. also cause the affiant to miss his Ohio Supreme Courts deadline on his direct appeal of right to which the affiant had to file for a delayed appeal of no fault of his own. See attached proof.
4. The Affiant has done all he can to endure that he obtain all the discovery and evidence needed to prove to this Court and State Courts that his case was and is still unconstitutional do to hidden and destroyed evidence, where the affiant has not been able to provide a copy of the (Affidavit and Warrant), used to support the State of Ohio position that the illegal search and seizure was legal, when the affidavit, warrant, with officer Kloos police reports from January 2, 2021 and January 2, 2021, will prove that the evidence used to punish the affiant is fruit of a poisonous tree, through the unconstitutional illegal search and seizure.

5. The Affiant has contacted everyone in the Montgomery County, from the State of Ohio Prosecutors office, Counsel's. Clerk of Court, Records Office, Police Department, and others, trying to obtain the Affidavit, Warrant, and Kloos actual Police Reports and have been pushed from one office to the other only to be told they do not have it. It was said by the Clerk's office that Detective Howard has put a block on obtaining these documents, however, officer Howard is not able to be contacted and no one seems to know how to get
6. The Affiant has sought a Stay on these issues that has been officially requested in the court to ensure that this honorable Court receives all the evidence that effects this case, this case cannot be just until after the State has had a full adjudication of all the evidence that it did not presented and was just discovered on February 8<sup>th</sup>, 2024, by assistance of friend's family and Sgt. Janson E. Rhodes. Who still could not find the Police Report of Officer Kloos, Affidavit and Warrant, tablet, written and video statements of all the alleged victims and witnesses in this case, or body camera footage in this case.
7. The Affiant makes it clear that, in this Current Direct Appeal from the Ohio Montgomery County Second Appellate District Court of Appeals is thus presented to this Honorable Courts under the assignments of errors presented by Attorney Lucas Wilder, who also presented these assignments of errors without all of the evidence presented in the direct appeal, and United States Supreme Court Appel. This prevented a full adjudication of the law and facts in the interest of justice in this case, and therefore, must be reversed where the below assignment of errors were in sufficient to present a full opinion on the facts and to uphold the full weight of discretion in the way the law and due process effected their opinion.
8. Affiant, again, makes it's clear that the Judgment and Opinion was filed on February 8<sup>th</sup>, 2022, and does unconstitutionally distort and inaccurately state facts that was without factual evidence to provide the attached opinion in this case. The facts have been so distorted that the accuracies must be questioned. And is being questioned, to the level of it substantively effecting the outcome of the appeals decision, where the outcome would have surely been different, with the new evidence.
9. The Affiant was never given a fair and just due process and equal opportunity to present his evidence in this case, because he had no idea that this evidence was even material until after his Post-Conviction Relief, Direct Appeal, Ohio Supreme Court Appeal, and Appellate Rule 26(B), was all filed. The affiant had no knowledge that the Police Report of Kloos, and the Affidavit and Warrant were being suppressed and hidden or destroyed. Kloos testifying on June 17, 2021 in the Suppression hearing, would have been the proof needed to prove the 4<sup>th</sup> Amendment illegal search and seizure, that the affiant's conviction stands on, in his sentence and penalty.

Affiant Sayeth Naught,



Lamon Boyd #798900

Sworn to and Signed in my Presence on this 10 day of May, 2024

Miracle Dawn Thurman

10-1-24

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