

24-5290
No. _____

FILED
JUL 29 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

KEVIN D. STUNES — PETITIONER
(Your Name)

VS.

THE STATE OF COLORADO — 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):

All Colorado State Courts

☐ 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.

Kevin D. Stunes

(Signature)

Kevin D. Stunes, #65875

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

I, Kevin D. Stunes, 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>18.00</u>	\$ <u>not married</u>	\$ <u>18.00</u>	\$ <u>not married</u>
Self-employment	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Interest and dividends	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Gifts	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Alimony	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Child Support	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Unemployment payments	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Total monthly income:	\$ <u>18.00</u>	\$ <u>not married</u>	\$ <u>18.00</u>	\$ <u>not married</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
Incarcerated	Colorado	2008-present	\$ 18.00
			\$
			\$

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
Not married			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 24.83
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
Inmate	\$ 24.83	\$ Not married
	\$	\$
	\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

☐ Home
Value None

☐ Other real estate
Value None

☐ Motor Vehicle #1
Year, make & model None
Value

☐ Motor Vehicle #2
Year, make & model None
Value

☐ Other assets
Description None
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
None	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
None		
_____	_____	_____
_____	_____	_____
_____	_____	_____

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	\$ not married
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	\$ not married
Home maintenance (repairs and upkeep)	\$ 0	\$ not married
Food	\$ 0	\$ not married
Clothing	\$ 2.00	\$ not married
Laundry and dry-cleaning	\$ 0	\$ not married
Medical and dental expenses	\$ 3.00	\$ not married

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>not married</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>not married</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>not married</u>
Life	\$ <u>0</u>	\$ <u>not married</u>
Health	\$ <u>0</u>	\$ <u>not married</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>not married</u>
Other: _____	\$ <u>0</u>	\$ <u>not married</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ <u>not married</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>not married</u>
Credit card(s)	\$ <u>0</u>	\$ <u>not married</u>
Department store(s)	\$ <u>0</u>	\$ <u>not married</u>
Other: _____	\$ <u>0</u>	\$ <u>not married</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>not married</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>not married</u>
Other (specify): _____ Restitution/court costs	\$ <u>3.60</u>	\$ <u>not married</u>
	\$ <u>8.60</u>	\$ <u>not married</u>
Total monthly 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? _____

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. Incarcerated Colorado inmate living off state pay of approximately \$18.00 a month. I get an occasional stipend from my family to purchase phone debit time to stay in touch and to purchase additional hygiene items. Otherwise my only source of income is my inmate pay, of which I lose 20% for restitution/court costs.

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

Executed on: July 29, 2024

Kevin D Stunes

(Signature)

Kevin D. Stunes, #65875