

24-6646  
No. \_\_\_\_\_

ORIGINAL

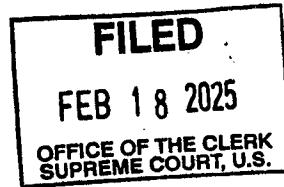
IN THE  
SUPREME COURT OF THE UNITED STATES

RANDY ALLEN HERMAN, JR.,  
*Petitioner*,

v.

SECRETARY, DEPARTMENT OF CORRECTIONS,  
AND ATTORNEY GENERAL, STATE OF FLORIDA,

*Respondents.*



**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*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Fifteenth Judicial Circuit Court, Palm Beach County, Florida

Fourth District Court of Appeal, State of Florida

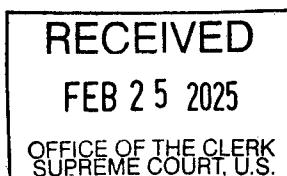
United States District Court, Southern District of Florida

United States Court of Appeals for the Eleventh Circuit, Atlanta, Georgia

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.

/s/   
Randy Herman, Jr., DC# A80442  
Petitioner, *pro se*



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

I, Randy Allen Herman 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 thereto and I believe that 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 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>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Self-employment	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Income from real property (such as rental income)	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Interest and dividends	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Gifts	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Alimony	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Child Support	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Disability (such as social security, insurance payments)	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Unemployment payments	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Public-assistance (such as welfare)	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Other (specify):	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
<b>Total monthly income:</b>	<b>\$ <u>0.00</u></b>	<b>\$ <u>0.00</u></b>	<b>\$ <u>0.00</u></b>	<b>\$ <u>0.00</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
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
_____	_____	_____	_____

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	N/A	N/A

4. How much cash do you and your spouse have? \$ 0.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of account	Amount you have	Amount your spouse has
N/A		\$ _____	\$ _____
		\$ _____	\$ _____
		\$ _____	\$ _____

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 (Value) - N/A Make & Year: _____ Model: _____ Registration #: _____
Other Assets (Value) N/A 	Other Assets (Value) N/A 	Motor Vehicle #2 (Value) - N/A Make & Year: _____ Model: _____ Registration #: _____

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	N/A	N/A

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

Name	Relationship	Age
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.

	<b>You</b>	<b>Spouse</b>
Rent or home-mortgage (including lot rented for mobile home)	\$ <u>0.00</u>	\$ <u>0.00</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ <u>0.00</u>	\$ <u>0.00</u>
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ <u>0.00</u>	\$ <u>0.00</u>
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0.00</u>	\$ <u>0.00</u>
Home maintenance (repairs and upkeep)	\$ <u>0.00</u>	\$ <u>0.00</u>
Food	\$ <u>0.00</u>	\$ <u>0.00</u>
Clothing	\$ <u>0.00</u>	\$ <u>0.00</u>
Laundry and dry-cleaning	\$ <u>0.00</u>	\$ <u>0.00</u>
Medical and dental expenses	\$ <u>0.00</u>	\$ <u>0.00</u>
Transportation (not including motor vehicle payments)	\$ <u>0.00</u>	\$ <u>0.00</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0.00</u>	\$ <u>0.00</u>
Insurance (not deducted from wages or included in mortgage payments):		
Homeowner's or renter's	\$ <u>0.00</u>	\$ <u>0.00</u>
Life	\$ <u>0.00</u>	\$ <u>0.00</u>
Health	\$ <u>0.00</u>	\$ <u>0.00</u>
Motor Vehicle	\$ <u>0.00</u>	\$ <u>0.00</u>
Other	\$ <u>0.00</u>	\$ <u>0.00</u>
Taxes (not deducted from wages or included in mortgage payments)(Specify):	\$ <u>0.00</u>	\$ <u>0.00</u>
Installment payments:		
Motor Vehicle	\$ <u>0.00</u>	\$ <u>0.00</u>
Credit card(s) (name):	\$ <u>0.00</u>	\$ <u>0.00</u>
Department store(s) (name):	\$ <u>0.00</u>	\$ <u>0.00</u>
Other:	\$ <u>0.00</u>	\$ <u>0.00</u>
Alimony, maintenance, and support paid to others	\$ <u>0.00</u>	\$ <u>0.00</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0.00</u>	\$ <u>0.00</u>
Other (specify)	\$ <u>0.00</u>	\$ <u>0.00</u>
<b>Total monthly expenses:</b>	<b>\$ <u>0.00</u></b>	<b>\$ <u>0.00</u></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 spent or will you be spending any money for expenses or attorney fees in connection with this case?

Yes  No      If yes, how much? \$ 0.00

11. *Provide any other information that will help explain why you cannot pay the docket fees for your appeal.*

I have attached a verified financial statement of my prison account balance for the previous six (6) months prepared by South Bay Correctional and Rehabilitation Facility demonstrating my inability to pay the docket fee for this appeal (See Exhibit "A").

12. *State the city and state of your legal residence.*

South Bay, Florida

Your daytime phone number: \_\_\_\_\_ N/A \_\_\_\_\_

Your age: 32 Your years of schooling: 14 (Associates Degree) \_\_\_\_\_

Last four digits of your Social Security number: \_\_\_\_\_ 3369 \_\_\_\_\_

I HEREBY CERTIFY under penalty of perjury that the foregoing is true and correct, in accordance with 28 U.S.C. §1746. Executed on this 18<sup>th</sup> day of February, 2025.

\_\_\_\_\_  
/s/ 

Randy Herman, Jr., DC# A80442  
Petitioner, *pro se*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY under penalty of perjury that a true and correct copy of the forgoing Motion for Leave to Proceed *In Forma Pauperis* has been deposited in the prison's internal mailing system with first-class postage prepaid on this 18<sup>th</sup> day of February, 2025 for mailing to: United States Supreme Court, One First Street N.E., Washington D.C. 20543; Secretary, Department of Corrections, 501 South Calhoun Street, Tallahassee, FL 32399; and Office of the Attorney General, The Capitol PL-01, Tallahassee, FL 32399.

  
/s/

Randy Herman, Jr., DC# A80442  
Petitioner, *pro se*

South Bay Correctional Facility  
600 U.S. Highway 27 South  
South Bay, Florida 33493

# **Exhibit “A”**

Financial Statement for Inmate Prison Account:

Previous Six (6) Months

## Inmate Statement for 1/1/2025 - 1/31/2025

ID#: A80442

Name: HERMAN; RANDY

Date of birth: 1992-12-28

Location: C - 2 - 108

	<u>Available</u>	+	<u>Encumbered</u>	<u>= Account Balance</u>
Beginning Balance on 1/1/2025:	7.02		0.00	7.02
Ending Balance on 1/31/2025:	2.03		0.00	2.03

Account activity:

Date	Transaction Type	Transaction Description	Amount	Resulting Balances		
				Available	Debt	Encumbered
1/3/2025	SECUREDEPOSITS	135822491 Adams Kathi Lee	50.00	57.02	0.00	0.00
1/13/2025	LEGAL POSTAGE	DECEMBER 2024	10.20	57.02	10.20	0.00
1/13/2025	<LEGAL POSTAG>	DECEMBER 2024	(10.20)	46.82	0.00	0.00
1/18/2025	EPR	OID:100045279-ComisaryPurch-Reg	(26.15)	20.67	0.00	0.00
1/26/2025	EPR	OID:100045820-ComisaryPurch-Reg	(18.64)	2.03	0.00	0.00

Due to computer posting the 'Balances as of 1/31/2025 may not reflect all transactions posted for this period. Carefully review the information on this statement. If you question or dispute any item you must submit a request form to the inmate accounts office within 30 days.

## Inmate Statement for 12/1/2024 - 12/31/2024

ID#: A80442

Name: HERMAN, RANDY

Date of birth: 1992-12-28

Location: C - 2 - 108

	<u>Available</u>	+	<u>Encumbered</u>	= <u>Account Balance</u>
Beginning Balance on 12/1/2024:	50.22		0.00	50.22
Ending Balance on 12/31/2024:	7.02		0.00	7.02

Account activity:

Date	Transaction Type	Transaction Description	Amount	Resulting Balances		
				Available	Debt	Encumbered
12/8/2024	EPR	OID:100042728-ComisaryPurch-Reg	(43.20)	7.02	0.00	0.00

Due to computer posting the 'Balances as of 12/31/2024' may not reflect all transactions posted for this period. Carefully review the information on this statement. If you question or dispute any item you must submit a request form to the inmate accounts office within 30 days.

## Inmate Statement for 11/1/2024 - 11/30/2024

ID#: A80442

Name: HERMAN, RANDY

Date of birth: 1992-12-28

Location: C - 2 - 108

	<u>Available</u>	+	<u>Encumbered</u>	= <u>Account Balance</u>
Beginning Balance on 11/1/2024:	15.96		0.00	15.96
Ending Balance on 11/30/2024:	50.22		0.00	50.22

Account activity:

Date	Transaction Type	Transaction Description	Amount	Resulting Balances		
				Available	Debt	Encumbered
11/3/2024	EPR	OID:100039512-ComisaryPurch-Reg	(15.74)	0.22	0.00	0.00
11/21/2024	SECUREDEPOSITS	133424246 Adams Kathi Lee	50.00	50.22	0.00	0.00

Due to computer posting the 'Balances as of 11/30/2024' may not reflect all transactions posted for this period. Carefully review the information on this statement. If you question or dispute any item you must submit a request form to the inmate accounts office within 30 days.

ID#: A80442

Name: HERMAN, RANDY

Date of birth: 1992-12-28

Location: C - 2 - 108

	<u>Available</u>	+	<u>Encumbered</u>	<u>= Account Balance</u>
Beginning Balance on 10/1/2024:	3.99		0.00	3.99
Ending Balance on 10/31/2024:	15.96		0.00	15.96

Account activity:

Date	Transaction Type	Transaction Description	Amount	Resulting Balances		
				Available	Debt	Encumbered
10/10/2024	LEGAL POSTAGE	LEGAL POSTAGE SEPTEMBER 2024	0.69	3.99	0.69	0.00
10/10/2024	LEGAL POSTAGE	LEGAL POSTAGE SEPTEMBER 2024	4.31	3.99	5.00	0.00
10/10/2024	<LEGAL POSTAG>	LEGAL POSTAGE SEPTEMBER 2024	(3.99)	0.00	1.01	0.00
10/10/2024	LEGAL POSTAGE	LEGAL POSTAGE SEPTEMBER 2024	2.31	0.00	3.32	0.00
10/10/2024	LEGAL POSTAGE	LEGAL POSTAGE SEPTEMBER 2024	0.69	0.00	4.01	0.00
10/10/2024	LEGAL POSTAGE	LEGAL POSTAGE SEPTEMBER 2024	0.69	0.00	4.70	0.00
10/10/2024	LEGAL POSTAGE	LEGAL POSTAGE SEPTEMBER 2024	0.69	0.00	5.39	0.00
10/17/2024	SECUREDEPOSITS	130722184 Adams Kathi Lee	50.00	50.00	5.39	0.00
10/17/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-10-10	(0.32)	49.68	5.07	0.00
10/17/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-10-10	(2.31)	47.37	2.76	0.00
10/17/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-10-10	(0.69)	46.68	2.07	0.00
10/17/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-10-10	(0.69)	45.99	1.38	0.00
10/17/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-10-10	(0.69)	45.30	0.69	0.00
10/17/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-10-10	(0.69)	44.61	0.00	0.00
10/24/2024	EPR	OID:100039102-ComisaryPurch-Reg	(28.65)	15.96	0.00	0.00

Due to computer posting the 'Balances as of 10/31/2024 may not reflect all transactions posted for this period. Carefully review the information on this statement. If you question or dispute any item you must submit a request form to the inmate accounts office within 30 days.

ID#: A80442

Name: HERMAN, RANDY

Date of birth: 1992-12-28

Location: C - 2 - 108

	<u>Available</u>	+	<u>Encumbered</u>	<u>= Account Balance</u>
Beginning Balance on 9/1/2024:	15.68		0.00	15.68
Ending Balance on 9/30/2024:	3.99		0.00	3.99

Account activity:

Date	Transaction Type	Transaction Description	Amount	Resulting Balances		
				Available	Debt	Encumbered
9/2/2024	SECUREDEPOSITS	127806057 Adams Kathi Lee	30.00	45.68	0.00	0.00
9/8/2024	EPR	OID:100035220-ComisaryPurch-Reg	(40.91)	4.77	0.00	0.00
9/12/2024	LEGAL POSTAGE	LEGAL POSTAGE AUGUST 2024	2.04	4.77	2.04	0.00
9/12/2024	<LEGAL POSTAG>	LEGAL POSTAGE AUGUST 2024	(2.04)	2.73	0.00	0.00
9/12/2024	LEGAL POSTAGE	LEGAL POSTAGE AUGUST 2024	0.69	2.73	0.69	0.00
9/12/2024	<LEGAL POSTAG>	LEGAL POSTAGE AUGUST 2024	(0.69)	2.04	0.00	0.00
9/12/2024	LEGAL POSTAGE	LEGAL POSTAGE AUGUST 2024	0.97	2.04	0.97	0.00
9/12/2024	<LEGAL POSTAG>	LEGAL POSTAGE AUGUST 2024	(0.97)	1.07	0.00	0.00
9/12/2024	LEGAL POSTAGE	LEGAL POSTAGE AUGUST 2024	2.87	1.07	2.87	0.00
9/12/2024	<LEGAL POSTAG>	LEGAL POSTAGE AUGUST 2024	(1.07)	0.00	1.80	0.00
9/12/2024	LEGAL POSTAGE	LEGAL POSTAGE AUGUST 2024	0.97	0.00	2.77	0.00
9/12/2024	LEGAL POSTAGE	LEGAL POSTAGE AUGUST 2024	2.87	0.00	5.64	0.00
9/12/2024	LEGAL POSTAGE	LEGAL POSTAGE AUGUST 2024	2.31	0.00	7.95	0.00
9/12/2024	LEGAL POSTAGE	LEGAL POSTAGE AUGUST 2024	2.31	0.00	10.26	0.00
9/16/2024	MED COPAY	MED COPAY AUGUST 2024	5.00	0.00	15.26	0.00
9/21/2024	SECUREDEPOSITS	128633438 York Danielle Lynn	40.00	40.00	15.26	0.00
9/21/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-09-12	(1.80)	38.20	13.46	0.00
9/21/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-09-12	(0.97)	37.23	12.49	0.00
9/21/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-09-12	(2.87)	34.36	9.62	0.00
9/21/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-09-12	(2.31)	32.05	7.31	0.00
9/21/2024	<LEGAL POSTAG>	Payment for LEGAL POSTAGE on 2024-09-12	(2.31)	29.74	5.00	0.00
9/21/2024	<MED COPAY>	Payment for MED COPAY on 2024-09-16	(5.00)	24.74	0.00	0.00
9/22/2024	EPR	OID:100036937-ComisaryPurch-Reg	(24.11)	0.63	0.00	0.00
9/28/2024	SECUREDEPOSITS	128987826 Adams Kathi Lee	30.00	30.63	0.00	0.00

Due to computer posting the 'Balances as of 9/30/2024 may not reflect all transactions posted for this period. Carefully review the information on this statement. If you question or dispute any item you must submit a request form to the inmate accounts office within 30 days.

## Inmate Statement for 9/1/2024 - 9/30/2024

ID#: A80442

Name: HERMAN, RANDY

Date of birth: 1992-12-28

Location: C - 2 - 108

	<u>Available</u>	<u>+</u>	<u>Encumbered</u>	= <u>Account Balance</u>
Beginning Balance on 9/1/2024:	15.68		0.00	15.68
Ending Balance on 9/30/2024:		3.99	0.00	3.99

9/29/2024	EPR	OID:100037559-ComisaryPurch-Reg	(26.64)	3.99	0.00	0.00
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Due to computer posting the 'Balances as of 9/30/2024 may not reflect all transactions posted for this period. Carefully review the information on this statement. If you question or dispute any item you must submit a request form to the inmate accounts office within 30 days.

## Inmate Statement for 8/1/2024 - 8/31/2024

ID#: A80442

Name: HERMAN, RANDY

Date of birth: 1992-12-28

Location: C - 2 - 108

	<u>Available</u>	+	<u>Encumbered</u>	= <u>Account Balance</u>
Beginning Balance on 8/1/2024:	15.67		0.00	15.67
Ending Balance on 8/31/2024:	15.68		0.00	15.68

Account activity:

Date	Transaction Type	Transaction Description	Amount	Resulting Balances		
				Available	Debt	Encumbered
8/4/2024	SECUREDEPOSITS	126028825 Adams Kathi Lee	50.00	65.67	0.00	0.00
8/19/2024	EPR	OID:100033579-ComisaryPurch-Reg	(49.99)	15.68	0.00	0.00

Due to computer posting the 'Balances as of 8/31/2024 may not reflect all transactions posted for this period. Carefully review the information on this statement. If you question or dispute any item you must submit a request form to the inmate accounts office within 30 days.