

24-6656 ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Derek J. Burns — PETITIONER
(Your Name)

FILED
FEB - 5 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

vs.

State of Georgia — 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):

U.S. District Court Northern District of Georgia

Burns v. Cobb County, Georgia et al 1:21-cv-04473-SDG

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: _____

_____, of

a copy of the order of appointment is appended.

(Signature) **RECEIVED**

FEB 11 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Derek Burns, 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>00.00</u>	\$ <u>00.00</u>	\$ <u>00.00</u>	\$ <u>00.00</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>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</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
NA	NA	NA	\$ NA
			\$
			\$

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
NA	NA	NA	\$ NA
			\$
			\$

4. How much cash do you and your spouse have? \$ 12.66
 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
prison commissary Exhibit 1A	\$ 12.66	\$ NA
	\$	\$
	\$	\$

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

Home
 Value NA

Other real estate
 Value NA

Motor Vehicle #1
 Year, make & model NA
 Value NA

Motor Vehicle #2
 Year, make & model NA
 Value NA

Other assets
 Description NA
 Value NA

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>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
	\$ <u> </u>	\$ <u> </u>
	\$ <u> </u>	\$ <u> </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>NA</u>	<u>NA</u>	<u>NA</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>10</u>	\$ <u>0</u>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input 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>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <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>0</u>	\$ <u>0</u>
Total monthly expenses:	\$ <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? 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? N/A

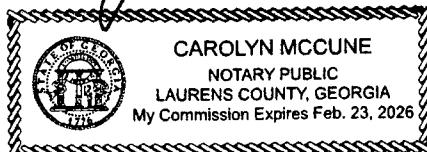
If yes, state the person's name, address, and telephone number:

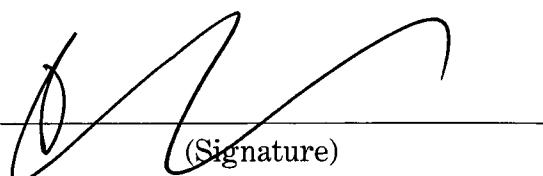
12. Provide any other information that will help explain why you cannot pay the costs of this case.

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

Executed on: February 4, 2025

2/4/25
Carolyn McCune




(Signature)

Spendable Amount	Reserved Amount	Stimulus Amount	Receipts On Hold	Funds Balance	Obligations/Court Charges
\$12.66	\$10.00	\$0.00	\$0.00	\$22.66	\$0.00

RECEIPTS					
Receipt Date	Transaction ID	Receipt Type	Receipt Details	Receipt Amount	
01/21/2025	26179275	JPAY DEPOSIT RECEIPT	JPAY - BURNS, LORA - 176546136	\$95.00	
01/13/2025	26151812	JPAY DEPOSIT RECEIPT	JPAY - BURNS, LORA - 176332383	\$95.00	
01/06/2025	26128411	JPAY DEPOSIT RECEIPT	JPAY - BURNS, LORA - 176138111	\$95.00	
12/30/2024	26103878	JPAY DEPOSIT RECEIPT	JPAY - BURNS, LORA - 175929423	\$95.00	
12/23/2024	26082834	JPAY DEPOSIT RECEIPT	JPAY - BURNS, LORA - 175748262	\$95.00	
12/10/2024	26036176	JPAY DEPOSIT RECEIPT	JPAY - BURNS, LORA - 175352788	\$100.00	

WITHDRAWALS							
Date	Request Date	Location Paid	Withdrawal Type	Payable To	Detail	Amount	Check No
02/01/2025		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee 02/2025	\$1.00	
01/28/2025		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	JOHNSON STATE PRISON	STORE PURCHASE	\$79.68	BOA ACH-2010000191
01/23/2025		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	JOHNSON STATE PRISON	STORE PURCHASE	\$79.92	BOA ACH-2010000191
01/14/2025		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	JOHNSON STATE PRISON	STORE PURCHASE	\$79.63	BOA ACH-2010000191
01/13/2025		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	JOHNSON STATE PRISON	STORE PURCHASE	(\$3.19)	BOA ACH-2010000191
01/07/2025		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	JOHNSON STATE PRISON	STORE PURCHASE	\$79.60	BOA ACH-2010000191
01/01/2025		CENTRAL ACCT-OFFENDER TRUST	WITHDRAWAL FOR OBLIGATION	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee 01/2025	\$1.00	239467
12/30/2024		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	JOHNSON STATE PRISON	STORE PURCHASE	\$80.00	BOA ACH-2010000190
12/30/2024		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	JOHNSON STATE PRISON	STORE PURCHASE	(\$7.96)	BOA ACH-2010000190
12/27/2024		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	JOHNSON STATE PRISON	STORE PURCHASE	\$79.52	BOA ACH-2010000190
12/18/2024		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	JOHNSON STATE PRISON	STORE PURCHASE	\$79.91	BOA ACH-2010000190
12/10/2024		CENTRAL ACCT-OFFENDER TRUST	STORE PURCHASE	JOHNSON STATE PRISON	STORE PURCHASE	\$69.90	BOA ACH-2010000190

OBLIGATIONS							
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Paid Status: P = Partially paid; Y = Paid in full; R = Reversed; W = Written off

60 Day Account Statement

BURNS, DEREK

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GDC ID: 1000060918

Printed By: BLAIR, STEPHANIE

Date	Location Incurred	Obligation Type	Payable To	Obligation Detail	Amount	Paid
02/01/2025	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 02/2025	\$1.00	Y
01/01/2025	CENTRAL ACCT-OFFENDER TRUST	MONTHLY PROCESSING FEE	GEORGIA DEPARTMENT OF CORRECTIONS	Monthly Processing Fee for 01/2025	\$1.00	Y

COURT CHARGES

No court charges for this offender in the past 60 days.

COURT CHARGE MODIFICATIONS

No court charges modifications for this offender in the past 60 days.