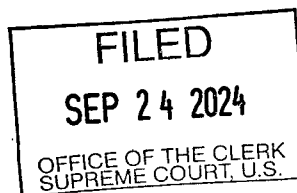


No. 24-6801



IN THE  
SUPREME COURT OF THE UNITED STATES

Birdell West, Jr. — PETITIONER  
(Your Name)

VS.

Oklahoma — 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.

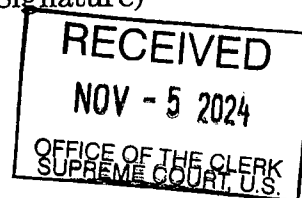
Att<sup>o</sup> →

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OCT - 7 2024

CLERK OF THE  
APPELLATE COURTS

Birdell West, Jr.  
(Signature)



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

I, Birdell West, 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>	\$ <u>0</u>
<b>Total monthly income:</b>	\$ <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
Petitioner has been incarcerated		N/A	\$ 0
for the past 41 years		N/A	\$ 0
N/A	N/A	N/A	\$ 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
Unmarried	N/A	N/A	\$ N/A
			\$ N/A
			\$ N/A

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

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

☐ Home  
Value 0

☐ Other real estate  
Value 0

☐ Motor Vehicle #1  
Year, make & model 0  
Value 0

☐ Motor Vehicle #2  
Year, make & model 0  
Value 0

☐ Other assets  
Description 0  
Value 0

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

\$ 0

\$ 0

None

\$ 0

\$ 0

None

\$ 0

\$ 0

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

N/A

N/A

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.

You

Your spouse

Rent or home-mortgage payment  
(include lot rented for mobile home)

\$ 0

\$ N/A

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

Utilities (electricity, heating fuel,  
water, sewer, and telephone)

\$ 0

\$ 0

Home maintenance (repairs and upkeep)

\$ 0

\$ 0

Food

\$ 0

\$ 0

Clothing

\$ 0

\$ 0

Laundry and dry-cleaning

\$ 0

\$ 0

Medical and dental expenses

\$ 0

\$ 0

	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>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>0</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>	\$ <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>	\$ <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? N/A

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.

*Petitioner is currently an inmate, incarcerated in a State penal institution*

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

Executed on: September 13, 2024

Birdell West, Jr.

(Signature)

Date\Time: 025 2:24:09 PM

ODOC

Institution: WEST, BIRDELL

## Offender Statement Report

Offender#	Offender/Group Name	Institution	Unit	Cell/Bed
0138554	WEST, BIRDELL	MACC	UNIT A-N LOW	BED 122 (U)

## Transaction List

Transaction Date	Transaction Type	Source Document #	Receipt#/Check#	Sender Name	Amount	Account Balance
07/01/2024	BEGINNING BALANCE					\$1,489.65
07/01/2024	SALES	49			(\$27.14)	\$1,462.51
07/08/2024	SALES	36			(\$26.79)	\$1,435.72
07/12/2024	JPAY	0000000171133102		NELSON, MARCUS	\$40.00	\$1,475.72
07/15/2024	SALES	83			(\$27.43)	\$1,448.29
07/21/2024	JPAY	0000000171376696		MCCLELLAN, MARCUS	\$50.00	\$1,498.29
07/22/2024	SALES	45			(\$27.21)	\$1,471.08
07/29/2024	SALES	27			(\$25.97)	\$1,445.11
08/03/2024	JPAY	0000000171735035		DIXON, LINDA	\$40.00	\$1,485.11
08/05/2024	SALES	41			(\$27.16)	\$1,457.95
08/12/2024	SALES	41			(\$26.20)	\$1,431.75
08/18/2024	JPAY	0000000172148901		MCCLELLAN, MARCUS	\$40.00	\$1,471.75
08/20/2024	SALES	13			(\$26.40)	\$1,445.35
08/23/2024	JPAY	0000000172261221		KILPATRICK, ALBERT	\$25.00	\$1,470.35
08/24/2024	JPAY	0000000172304591		GRAYSON, WILLIE	\$25.00	\$1,495.35
08/27/2024	SALES	41			(\$25.30)	\$1,470.05
09/03/2024	SALES	90			(\$27.72)	\$1,442.33
09/11/2024	SALES	9			(\$25.43)	\$1,416.90
09/16/2024	SALES	4			(\$25.39)	\$1,391.51
09/18/2024	JPAY	0000000173011821		MCCLELLAN, MARCUS	\$40.00	\$1,431.51
09/24/2024	SALES	5			(\$40.95)	\$1,390.56
09/30/2024	GANG PAY				\$15.00	\$1,405.56
09/30/2024	SALES	16			(\$12.03)	\$1,393.53
10/04/2024	JPAY	0000000173449747		DIXON, LINDA	\$60.00	\$1,453.53
10/04/2024	LEGAL COPAY	10/1/24MAC			(\$8.20)	\$1,445.33
10/07/2024	CLUB SALES WITHDRAWAL	138554 FOOD			(\$6.92)	\$1,438.41
10/08/2024	JPAY	0000000173559805		KILPATRICK, ALBERT	\$20.00	\$1,458.41
10/08/2024	SALES	26			(\$51.25)	\$1,407.16
10/14/2024	JPAY	0000000173733270		NEELEY, LATAHA	\$20.00	\$1,427.16
10/14/2024	SALES	42			(\$33.46)	\$1,393.70
10/19/2024	JPAY	0000000173853365		NELSON, MARCUS	\$40.00	\$1,433.70
10/20/2024	JPAY	0000000173888159		MCCLELLAN, MARCUS	\$80.00	\$1,513.70
10/22/2024	SALES	3			(\$51.62)	\$1,462.08
10/28/2024	SALES	11			(\$28.16)	\$1,433.92
10/28/2024	LEGAL COPAY	10/21/24MAC			(\$9.20)	\$1,424.72
10/31/2024	GANG PAY				\$20.00	\$1,444.72
11/05/2024	SALES	2			(\$47.22)	\$1,397.50
11/21/2024	JPAY	0000000174808643		MCCLELLAN, MARCUS	\$40.00	\$1,437.50
11/25/2024	SALES	30			(\$40.15)	\$1,397.35
11/26/2024	JPAY	0000000174947754		DIXON, LINDA	\$25.00	\$1,422.35
11/30/2024	GANG PAY				\$25.00	\$1,447.35
12/01/2024	JPAY	0000000175075401		DIXON, LINDA	\$80.00	\$1,527.35
12/02/2024	SALES	1			(\$75.65)	\$1,451.70
12/09/2024	JPAY	0000000175328632		KILPATRICK, ALBERT	\$25.00	\$1,476.70
12/10/2024	SALES	2			(\$74.19)	\$1,402.51

Date\Time: 1/14/2025 2:24:09 PM

Institution: MACC

ODOC

## Offender Statement Report

Transaction Date	Transaction Type	Source Document #	Receipt#/Check#	Sender Name	Amount	Account Balance
12/20/2024	JPAY	0000000175647726		NELSON, MARCUS	\$40.00	\$1,442.51
12/22/2024	JPAY	0000000175719198		DIXON, LINDA	\$40.00	\$1,482.51
12/26/2024	SALES	2			(\$79.99)	\$1,402.52
12/31/2024	GANG PAY				\$25.00	\$1,427.52
01/03/2025	JPAY	0000000176039724		DIXON, LINDA	\$40.00	\$1,467.52
01/07/2025	SALES	3			(\$60.01)	\$1,407.51
01/14/2025	JPAY	0000000176364717		DIXON, LINDA	\$40.00	\$1,447.51

### Summary Balances

Available Balance	Savings Balance	Debt Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
\$40.17	\$1,407.34	\$0.00	\$0.00	\$0.00	\$0.00	\$1,447.51