

CASE NO: **24-6838**

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

MAR 10 2025

OFFICE OF THE CLERK

CORTEZ BENNETT - Petitioner

v.

JOHNNY FITZ, WARDEN - Respondent

(Appeal from the United States Court of Appeals, 6th Circuit)

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

In the United States Court of Appeals in the 6th Circuit at Cincinnati, Ohio,

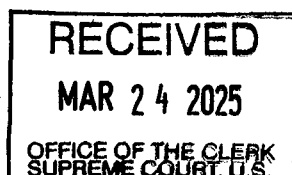
In the United States District Court at Nashville, Tennessee,

In the Supreme Court of the State of Tennessee at Nashville, Tennessee,

In the Court of Criminal Appeals of the State of Tennessee at Nashville, Tennessee,

In the Davidson County Criminal Court at Nashville, Tennessee.

☒ Petitioner's affidavit or declaration in support of this motion is attached hereto has



Cortez Bennett
Cortez Bennett, # 330900, Petitioner

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

I, Cortez Bennett, 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 received from each of the following sources during the last 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>45.00</u>	\$ <u>N/A</u>	\$ <u>45.00</u>	\$ <u>N/A</u>
Self-Employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payment)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment Payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
Total Monthly Income:	\$ <u>45.00</u>	\$ <u>N/A</u>	\$ <u>45.00</u>	\$ <u>N/A</u>

2. List your employment history for the past two years, most recently first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly Pay
WTSP	P.O. Box 1150 Henning, TN 38041-1150	in 2023	\$ 4500

3. List your spouse's employment history for the past two years, most recently first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly Pay
N/A			

4. How much cash do you and your spouse have? \$ None.
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 Employment	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. N/A

<input type="checkbox"/> Home Value _____	<input type="checkbox"/> Other real estate Value _____
<input type="checkbox"/> Motor Vehicle # 1 Year, Make & Model _____ Value _____	<input type="checkbox"/> Motor Vehicle # 2 Year, Make & Model _____ Value _____
<input type="checkbox"/> Other Assets Description _____ Value _____	

6. State every person, business, or organization owing you or your spouse money, and the amount owed. N/A

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>N/A</u>	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
<u>N/A</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	Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	<u>\$ 45.00</u>	<u>\$ N/A</u>

Are real estate taxes included? ☐ Yes. ☒ No.

Is property insurance included? ☐ Yes. ☒ No.

Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ _____	\$ _____
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Home maintenance (repair and upkeep.	\$ _____	\$ _____
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Food.	<u>\$ 45.00</u>	\$ _____
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Clothing	\$ _____	\$ _____
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Laundry and dry-cleaning	\$ _____	\$ _____
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Medical and dental expenses	\$ _____	\$ _____
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	You	Spouse
Transportation (not including motor vehicle payment)	\$ _____	\$ _____
Recreation, entertainment, newspaper, magazine, etc.	\$ _____	\$ _____

Insurance (not deducted from wages or included in mortgage payment)

Homeowner's or renter's	\$ _____	\$ _____
Life	\$ _____	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____

Taxes (not included from wages or included in mortgage payment)

Specify: _____	\$ _____	\$ _____
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Installment payments

Motor Vehicle	\$ _____	\$ _____
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____

Alimony, maintenance, and support paid to others	\$ _____	\$ _____
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Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ _____
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Other (specify): _____	\$ _____	\$ _____
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Total Monthly Expenses:	\$ <u>45.00</u>	\$ <u>N/A</u>
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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 service in connection with this case, including the competition 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 service in connection with this case, including the completion of this form?

☐ Yes. ☒ No.

If Yes, how much? N/A

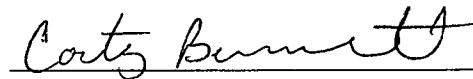
If Yes, state the attorney's name, address, and telephone number.

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

Petitioner has been an indigent State inmate since 2000.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on : March 10, 2025.


Cortez Bennett, # 330900, Petitioner
WTSP, P.O. Box 1150
Henning, TN 38041-1150