

24-6935

No. _____

FILED
FEB 11 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES
WASHINGTON D.C. 20543-0001

BILLY MINH TRAN — PETITIONER
(Your Name)

VS.

BOBBY LUMPKIN — 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):

144th District Court, Bexar County, Texas

FOURTH COURT OF APPEALS OF TEXAS

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.


(Signature)

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

I, Billy Minh Tran, 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>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Self-employment	\$ <u>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Income from real property (such as rental income)	\$ <u>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Interest and dividends	\$ <u>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Gifts	\$ <u>20.00</u>	\$ <u>n/a</u>	\$ <u>50.00</u>	\$ <u>n/a</u>
Alimony	\$ <u>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Child Support	\$ <u>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Disability (such as social security, insurance payments)	\$ <u>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Unemployment payments	\$ <u>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Public-assistance (such as welfare)	\$ <u>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Other (specify): _____	\$ <u>0.00</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Total monthly income:	\$ <u>20.00</u>	\$ <u>n/a</u>	\$ <u>don't know</u>	\$ <u>n/a</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
NONE	NONE	NONE	\$ NONE
			\$
			\$

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			\$
			\$
			\$

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.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
Inmate trust fund	\$ 176.93	\$ 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 _____

Other real estate

Value _____

Motor Vehicle #1

Year, make & model _____

Motor Vehicle #2

Year, make & model _____

Value _____

Value _____

Other assets

Description _____

Value _____

N/A

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	\$ none	\$ n/a
	\$	\$
	\$	\$

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
none		
Rent or home-mortgage payment (include lot rented for mobile home)	\$ n/a	\$ n/a
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)	\$ n/a	\$ n/a
Home maintenance (repairs and upkeep)	\$ n/a	\$ n/a
Food	\$ n/a	\$ n/a
Clothing	\$ n/a	\$ n/a
Laundry and dry-cleaning	\$ n/a	\$ n/a
Medical and dental expenses	\$ n/a	\$ n/a

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ n/a	\$ n/a
Recreation, entertainment, newspapers, magazines, etc.	\$ 2.15	\$ n/a
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ n/a	\$ n/a
Life	\$ n/a	\$ n/a
Health	\$ n/a	\$ n/a
Motor Vehicle	\$ n/a	\$ n/a
Other: _____	\$ 0.00	\$ n/a
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ n/a	\$ n/a
Installment payments		
Motor Vehicle	\$ n/a	\$ n/a
Credit card(s)	\$ n/a	\$ n/a
Department store(s)	\$ n/a	\$ n/a
Other: _____	\$ 0.00	\$ n/a
Alimony, maintenance, and support paid to others	\$ n/a	\$ n/a
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ n/a	\$ n/a
Other (specify): _____	\$ _____	\$ _____
Total monthly expenses:	\$ 0.00	\$ n/a

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? _____

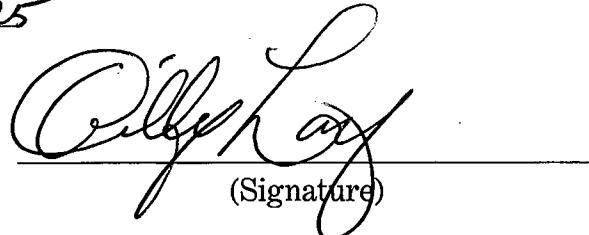
If yes, state the person's name, address, and telephone number:

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

I don't have any means of earning an income. The money received is from a friend about \$50.00 from time to time. I used the gift money to buy postage stamps, writ envelops, mail envelopes and typing papers.

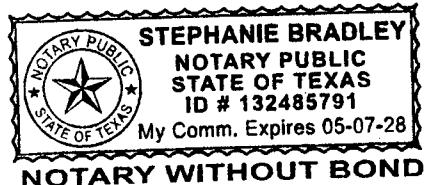
I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/25, 2025


(Signature)

CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 02/25/25
 1M7H/BS00157 IN-FORMA-PAUPERIS DATA 12:05:44
 TDCJ#: 02044506 SID#: 04322736 LOCATION: CONNALLY INDIGENT DTE:
 NAME: TRAN, BILLY MINH BEGINNING PERIOD: 08/01/24
 PREVIOUS TDCJ NUMBERS: 00642055 00972243
 CURRENT BAL: 176.93 TOT HOLD AMT: 0.00 3MTH TOT DEP: 180.00
 6MTH DEP: 240.00 6MTH AVG BAL: 141.35 6MTH AVG DEP: 40.00
 MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS
 01/25 140.38 20.00 10/24 164.83 60.00
 12/24 167.43 110.00 09/24 156.48 0.00
 11/24 167.43 50.00 08/24 242.68 0.00

STATE OF TEXAS COUNTY OF *Karnes*
 ON THIS THE *25* DAY OF *February*, *2025* I CERTIFY THAT THIS DOCUMENT IS A TRUE,
 COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE
 COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG: *Stephanie Bradley*
 PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: _____ OR SID NUMBER: _____



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WASHINGTON, D.C. 20543-0001

BILLY MINH TRAN
TDCJ#2044506
Petitioner

v.

No. _____

BOBBY LUMPKIN, Dir.
TDCJ-CID
Respondent

VERIFICATION

State of Texas

County of Karnes

I am Billy Minh Tran and I do hereby depose as follows:

My name is Billy Minh Tran. I am over the age of eighteen, have personal knowledge of the facts stated thereafter, and fully competent to make this Affidavit.

I have read the MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and the contents therein are within my personal knowledge and are true and correct.

FURTHER I DEPODE NOT.

UNSWORN DECLARATION

My name is Billy Minh Tran TDCJ# 2044506, I am presently incarcerated at the John B Connally Unit located at 899 FM 632, Kenedy, Texas 78119. I declare under penalty of perjury that the foregoing Affidavit and the facts stated therein are true and correct to the best of my knowledge.

Executed in Karnes County, Texas on 24 day of February, 2025.



Billy Minh Tran
899 FM 632
Kenedy, TX 78119