

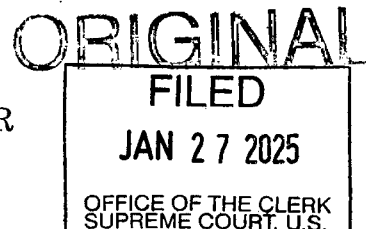
No. 24-6988

IN THE  
SUPREME COURT OF THE UNITED STATES

RICARDO EDWIN LANIER — PETITIONER  
(Your Name)

VS.

J. BURNS; D. CAPPS — 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):

THE UNITED STATES DISTRICT COURT FOR THE WESTER DISTRICT NORTH CAROLINA  
THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

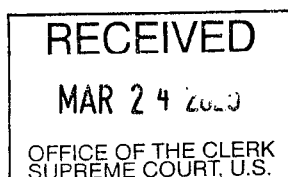
☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ 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.



Ricardo Edwin Lanier  
(Signature)

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

I, RICARDO EDWIN LANIER, 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<br>the past 12 months |          | Amount expected<br>next month |          |
|----------------------------------------------------------------------------|-----------------------------------------------------|----------|-------------------------------|----------|
|                                                                            | You                                                 | Spouse   | You                           | Spouse   |
| Employment                                                                 | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Self-employment                                                            | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Income from real property<br>(such as rental income)                       | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Interest and dividends                                                     | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Gifts                                                                      | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Alimony                                                                    | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Child Support                                                              | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Retirement (such as social<br>security, pensions,<br>annuities, insurance) | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Disability (such as social<br>security, insurance payments)                | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Unemployment payments                                                      | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Public-assistance<br>(such as welfare)                                     | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| Other (specify): _____                                                     | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</u>                   | \$ _____ |
| <b>Total monthly income:</b>                                               | \$ <u>Ø</u>                                         | \$ _____ | \$ <u>Ø</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 |
|----------|------------------------|---------------------|-------------------|
| ARBY'S   | 180 Hendersonville rd. | unsure of exact     | \$ 1,300.00       |
|          | Asheville, N.C.        | date but in         | \$                |
|          | 28803                  | 2023 - 2023         | \$                |

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 |
|----------|-------------------------|---------------------|-------------------|
| ZAXBY'S  | 1650 Hendersonville rd. | unsure of exact     | \$ 1,500.00       |
|          | Asheville, N.C.         | date but            | \$                |
|          | 28803                   | 2022 - 2022         | \$                |

4. How much cash do you and your spouse have? \$ 0  
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 |
|---------------------------------------------|-----------------|------------------------|
| Me and my wife are separated right now      | \$ 0            | \$ 0 unsure            |
| and we don't have any accounts together     | \$ 0            | \$ 0 unsure            |
| I'm currently trying to find a job.         | \$ 0            | \$ 0 unsure            |

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  
Year, make & model n/a  
Value \_\_\_\_\_

☐ Motor Vehicle #2  
Year, make & model n/a  
Value \_\_\_\_\_

☐ Other assets  
Description n/a  
Value \_\_\_\_\_

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>no one owes me</u>                 | <u>\$ no one owes me</u> | <u>\$ To the best of my</u> |
| <u>any money...</u>                   | <u>\$ any money...</u>   | <u>\$ Knowledge no one</u>  |
|                                       | <u>\$</u>                | <u>\$ owes her money...</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>n/a</u> | <u>n/a</u>   | <u>n/a</u> |
| <u>n/a</u> | <u>n/a</u>   | <u>n/a</u> |
| <u>n/a</u> | <u>n/a</u>   | <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         | Your spouse      |
|-----------------------------------------------------------------------------------------------------|-------------|------------------|
| Rent or home-mortgage payment<br>(include lot rented for mobile home)                               | \$ <u>0</u> | \$ <u>unsure</u> |
| Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |             |                  |
| Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |             |                  |
| Utilities (electricity, heating fuel,<br>water, sewer, and telephone)                               | \$ <u>0</u> | \$ <u>unsure</u> |
| Home maintenance (repairs and upkeep)                                                               | \$ <u>0</u> | \$ <u>unsure</u> |
| Food                                                                                                | \$ <u>0</u> | \$ <u>unsure</u> |
| Clothing                                                                                            | \$ <u>0</u> | \$ <u>unsure</u> |
| Laundry and dry-cleaning                                                                            | \$ <u>0</u> | \$ <u>unsure</u> |
| Medical and dental expenses                                                                         | \$ <u>0</u> | \$ <u>unsure</u> |

|                                                                                             | You         | Your spouse      |
|---------------------------------------------------------------------------------------------|-------------|------------------|
| Transportation (not including motor vehicle payments)                                       | \$ <u>0</u> | \$ <u>unsure</u> |
| Recreation, entertainment, newspapers, magazines, etc.                                      | \$ <u>0</u> | \$ <u>unsure</u> |
| Insurance (not deducted from wages or included in mortgage payments)                        |             |                  |
| Homeowner's or renter's                                                                     | \$ <u>0</u> | \$ <u>unsure</u> |
| Life                                                                                        | \$ <u>0</u> | \$ <u>unsure</u> |
| Health                                                                                      | \$ <u>0</u> | \$ <u>unsure</u> |
| Motor Vehicle                                                                               | \$ <u>0</u> | \$ <u>unsure</u> |
| Other: <u>I don't have any type of insurance</u>                                            | \$ <u>0</u> | \$ <u>unsure</u> |
| Taxes (not deducted from wages or included in mortgage payments)                            |             |                  |
| (specify): <u>there are no taxes to be deducted</u>                                         | \$ <u>0</u> | \$ <u>unsure</u> |
| Installment payments                                                                        |             |                  |
| Motor Vehicle                                                                               | \$ <u>0</u> | \$ <u>unsure</u> |
| Credit card(s)                                                                              | \$ <u>0</u> | \$ <u>unsure</u> |
| Department store(s)                                                                         | \$ <u>0</u> | \$ <u>unsure</u> |
| Other: <u>there are no installment payments</u>                                             | \$ <u>0</u> | \$ <u>unsure</u> |
| Alimony, maintenance, and support paid to others                                            | \$ <u>0</u> | \$ <u>unsure</u> |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ <u>0</u> | \$ <u>unsure</u> |
| Other (specify): <u>there are no regular expenses</u>                                       | \$ <u>0</u> | \$ <u>unsure</u> |
| Total monthly expenses:                                                                     | \$ <u>0</u> | \$ <u>unsure</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. *I just got released from Jail and am looking for work... As stated me and my wife are separated so I'm starting over.*

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.

*As stated I just got out of Jail, and am having to start over because me and my wife are not together if possible I ask that this fee be waived and when I get a job I can make payments for pay for it*

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

Executed on: MARCH 17th., 2025

*Reardo Edlis Lamer*

(Signature)