

No. **24-7207** **ORIGINAL**

Supreme Court, U.S.
FILED

FEB 28 2025

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

In Re Willie C. Simpson — PETITIONER
(Your Name)

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner ASK LEAVE TO FILE THE ATTACHED TITLE 28 USC 2254 Petition
FOR WRIT OF HABEAS CORPUS WITHOUT PREPAYMENT OF COST PURSUANT TO TITLE 28
USC 1915(B)(4) AS INTERPRETED IN BRULLE V. SAMUELS 577 U.S. 82, 86 (2016)
AND SMITH V. BENNETT 345 U.S. 708, 713 (1961)

Please check the appropriate boxes:

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

WISCONSIN COURT OF APPEAL AND WISCONSIN SUPREME COURT

☐ 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.

Willie C. Simpson

(Signature)

28 USC. 1915(B)(4) motion for leave to proceed with the 28 USC.
2254 Habeas Corpus petition page- 2

1. [Title 28 USC. 1915(B)(4) prohibits courts from preventing prisoners from bringing a civil action because the prisoner has no assets or means to pay the cost of filing]

IN RELEVANT PART TITLE 28 USC. 1915(B)(4) READS ;

IN NO EVENT SHALL A PRISONER BE PROHIBITED FROM BRINGING A CIVIL ACTION OR APPEALING A CIVIL OR CRIMINAL JUDGMENT FOR THE REASON THAT THE PRISONER HAS NO ASSETS AND NO MEANS TO PAY THE INITIAL PARTIAL FILING FEE ;

THE U.S. SUPREME COURT HAS INTERPRETED TITLE 28 USC. 1915(B)(4) AS THE SAFETY VALVE THAT CONGRESS CREATED TO ENSURE THAT A FEE REQUIREMENT WOULD NOT BAR ACCESS TO THE COURT IN ;

BRUCE V. SAMUELS 577 U.S. 82, 86 (2016) ;

CONGRESS INCLUDED IN ITS 1996 OVERHAUL OF SEC. 1915, A SAFETY VALVE PROVISION TO ENSURE THAT THE FEE REQUIREMENTS WOULD NOT BAR ACCESS TO THE COURTS, IN NO EVENT SHALL A PRISONER BE PROHIBITED FROM BRINGING A CIVIL ACTION OR APPEALING A CIVIL OR CRIMINAL JUDGMENT FOR THE REASONS THAT THE PRISONER HAS NO ASSETS AND NO MEANS BY WHICH TO PAY THE INITIAL PARTIAL FILING FEE, SEC. 1915(B)(4).

TITLE 28 USC. 1915(A)(2) REQUIRES PRISONERS WHOM SEEK TO PROCEED IN FORMA PAUPERIS TO SUBMIT A CERTIFIED COPY OF THEIR TRUST FUND ACCOUNT STATEMENT OR AN INSTITUTIONAL EQUIVALENT, WHICH PETITIONER SUBMITS WITH THIS MOTION OBTAINED FROM THE PRISON BUSINESS OFFICE PRISON TRUST FUND ACCOUNT INDICATING THAT PETITIONER DO NOT HAVE ANY ASSETS OR MEANS TO PAY ANY COST OF FILING THE 28 USC. 2254 HABEAS CORPUS PETITION, TITLE 28 USC. 1915(B)(1) REQUIRES THE COURT TO ASSESS ANY FEE COST OF FILING FOR A PRISONER WHOM SEEK LEAVE TO PROCEED IN FORMA PAUPERIS AS INTERPRETED BY THE U.S. SUPREME COURT IN BRUCE V. SAMUELS 577 U.S. AT 89-90.

28 USC 1915(B)(4) motion for leave to proceed with the 28 USC.
2254 HABEAS corpus petition page - 3

Nevertheless, in no event shall a prisoner be prohibited from bringing a civil action, criminal action, or appeal because he has no assets and no means to pay an initial filing fee as interpreted by the U.S. Supreme Court in Bruce v. Samuels 577 U.S. at 86, The U.S. Const. Article I sec. 9 cl. 2 suspension clause prohibits the suspension of privilege of HABEAS corpus unless when in cases of rebellion or invasion the public safety may require it, this includes suspension based upon a state prisoner inability to pay the cost of filing the state prisoner HABEAS corpus petition, as interpreted in;

Smith v. Bennett 365 U.S. 708, 713 (1961);

we repeat what has been so truly said of the Federal writ, There is no higher duty than to maintain it unimpaired and unsuspended save only in the cases specified in our Constitution when an equivalent right is guaranteed by a state. Financial hurdles must not be permitted to condition its exercise.

[Declaration under 28 USC 1746]

I Willie C. Simpson declare under penalty of perjury of 28 USC 1746 that the foregoing allegations made in this motion for leave to proceed in forma pauperis are true and correct and this document is prepared under 28 USC A. sup. ct. rule 34, 33.2.(B), 21.1 and is a total 3 pages

Signed This 5 Day of May 2025
Willie C. Simpson 331230
Wisconsin Secure Program Facility
PO. Box 1000
Boscobel, WI. 53805

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

I, Willie L. Simpson, 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>not married</u>	\$ <u>0</u>	\$ <u>not married</u>
Self-employment	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Income from real property (such as rental income)	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Interest and dividends	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Gifts	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Alimony	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Child Support	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Disability (such as social security, insurance payments)	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Unemployment payments	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Public-assistance (such as welfare)	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Other (specify): <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Total monthly income:	\$ <u>0</u>	\$ <u> </u>	\$ <u>0</u>	\$ <u> </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 ↓	\$ 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
Not married ↓	Not married ↓	Not married ↓	\$ 0 \$ \$

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
None ↓	\$ 0 \$ \$	\$ Not married \$ \$

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

☐ Home
Value None

☐ Other real estate
Value None

☐ Motor Vehicle #1
Year, make & model None
Value _____

☐ Motor Vehicle #2
Year, make & model None
Value _____

☐ Other assets
Description None
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

NONE
↓

Amount owed to you

\$ 0
↓

Amount owed to your spouse

\$ not married
↓

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

NONE
↓

Relationship

NONE
↓

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

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

Prisoner
\$ 0

not married
\$ 0

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

\$

\$

Home maintenance (repairs and upkeep)

\$

\$

Food

\$

\$

Clothing

\$

\$

Laundry and dry-cleaning

\$

\$

Medical and dental expenses

\$

\$

	You <i>Prisoner</i>	Your spouse <i>Not married</i>
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ _____	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ _____	\$ _____
Life	\$ _____	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ _____	\$ _____
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____
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? _____

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 am a prisoner confined under custody of the State of Wis. DOC. I have no money nor assets to pay the cost of filing my prison trust account statement is attached

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

Executed on: ~~Feb. 20~~ May, 5, 2025

Willie C. Simpson

(Signature)

Wisconsin Secure Program Facility
From 03/08/2025 through 03/14/2025
Canteen Items discontinued # 85846, 58525, 85197, 54435

DOC #: 331230
Name: SIMPSON, WILLIE C
Location: _A/R3 _321/_L

Account Balances:

Account Type	Start Balance	End Balance	Hold Balance
REG	\$0.00	\$0.00	\$0.00
REL	\$0.31	\$0.31	\$0.00
Total:	\$0.31	\$0.31	\$0.00

I WILLIE C. SIMPSON DO CERTIFY, AND DECLARE UNDER PENALTY OF PERJURY OF 28 USC 1741b THAT THIS DOCUMENT IDENTIFIED AS TRUST ACCOUNT STATEMENT IS A TRUE COPY OF MY TRUST ACCOUNT PRISON BALANCE ON RECORD AT THE WISCONSIN SECURE PROGRAM FACILITY FROM 3/8/2025 THROUGH 3/14/2025, IT IS A TOTAL 4 PAGES

SIGNED THIS 5 DAY OF MAY 2025
WILLIE C. SIMPSON 331230

~ Division of Adult Institutions not collecting at this time. Balance to be addressed with the Division of Community Corrections upon release.

† AMOUNT FROZEN, NOT YET DISTRIBUTED TO THE COURT. TRANSMIT TO CLERK OF COURTS PURSUANT TO 28 U.S.C. § 1915(b)(2).

Wisconsin Secure Program Facility
From 03/08/2025 through 03/14/2025
Canteen Items discontinued # 85846, 58525, 85197, 54435

DOC #: 331230
Name: SIMPSON, WILLIE C
Location: _A/R3 _321/_L

Debts and Obligations:

Total Deposited, Not yet Distributed: \$0.00

Account Type	Payable	Facility	Pfx	Info Number	Frozen for Fed PLRA	Balance	Status	%
Federal PLRA			00	14-C-198	\$0.43	\$503.84	Open	20
Federal PLRA			00	13-CV-776- BBC	\$0.80	\$347.77	Open	20
Federal PLRA			00	14-C-198	\$0.60	\$348.38	Open	20
Federal PLRA		WSPF	00	11CV851BBC	\$0.85	\$452.55	Open	20
Federal PLRA		CCI	00	04-C-298-C	\$3.60	\$38.68	Open	20
Federal PLRA		CCI	00	04-C-29-C	\$9.28	\$20.64	Open	20
Federal PLRA		CCI	00	05-C-232-C	\$3.60	\$157.24	Open	20
Federal PLRA		CCI	00	06C200	\$5.44	\$433.21	Open	20
Federal PLRA		GBCI	00	06-C-612-C	\$9.28	\$275.31	Open	20
Federal PLRA		RCI	00	06-C-200	\$3.60	\$168.54	Open	20
Federal PLRA		CCI	00	08-CV-054- BBC	\$4.35	\$334.21	Open	20
Federal PLRA		GBCI	00	10-CV-153- BBC	\$2.83	\$340.99	Open	20
Federal PLRA		WSPF	00	09-CV-532- BBC	\$3.52	\$337.58	Open	20
Federal PLRA		WSPF	00	11-CV-838- BBC 13-1720	\$2.28	\$448.71	Open	20
Federal PLRA		WSPF	00	11CV838BBC	\$1.86	\$344.80	Open	20
Federal PLRA		WSPF	00	11CV851WM C	\$1.45	\$346.08	Open	20
Federal PLRA		WSPF	00	11CV851WM C 13-1360	\$1.06	\$452.09	Open	20
Federal PLRA		GBCI	00	16-3666 App 13Cv776	\$0.41	\$504.00	Open	20
Federal PLRA		GBCI	00	17CV359	\$0.22	\$349.46	Open	20
State PLRA		GBCI	00	18CV1093		\$268.82	Open	100
State PLRA		WSPF	00	Appeal # 2024AP00218 1 W		\$195.00	Open	100
Restitution (Court Ordered)			BB	99CF4849		\$607.62	Open	50
Restitution (Court Ordered)			BB	99CF4849		\$43.79	Open	50
Restitution (Court Ordered)			BC	11CF123		\$1,000.00	Open	50
Victim/Witness Surcharge A			BD	11CF220		\$389.94	Open	25
Victim/Witness Surcharge A		WCI	BG	12CF66		\$130.00	Open	25
Victim/Witness Surcharge A			BH	12CF66		\$40.00	Open	25
Victim/Witness Surcharge B			BD	11CF220		\$162.00	Open	25
Victim/Witness Surcharge B		WCI	BG	12CF66		\$54.00	Open	25
Victim/Witness Surcharge B			BH	12CF66		\$27.00	Open	25
DNA Surcharge			BA	96CF5778		\$231.92	Open	50

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From 03/08/2025 through 03/14/2025
Canteen Items discontinued # 85846, 58525, 85197, 54435

DOC #: 331230
Name: SIMPSON, WILLIE C
Location: _A/R3_321/_L

DNA Surcharge		BB	99CF4849	\$250.00	Open	50
DNA Surcharge	WCI	BG	12CF66	\$500.00	Open	50
DNA Surcharge		BH	12CF66	\$200.00	Open	50
Medical Co-pay	CCI	00	10/08/2007	\$82.39	Open	50
Legal Loan (Indigent)	WSPF	00	01/06/2012	\$99.99	Open	50
Legal Loan (Indigent)	WCI	00	09/15/2011	\$13.77	Open	50
Legal Loan (Indigent)	WSPF	00	11/29/2011	\$45.52	Open	50
Legal Loan (Indigent)	WCI	00	01/14/2015	\$49.01	Open	50
Legal Loan (Indigent)	WSPF	00	01/09/2014	\$93.39	Open	50
Legal Loan (Indigent)	GBCI	00	01/21/2016	\$53.09	Open	50
Legal Loan (Indigent)	GBCI	00	01/04/2002	\$64.34	Open	50
Legal Loan (Indigent)		00	01/06/2004	\$196.65	Open	50
Legal Loan (Indigent)	CCI	00	01/02/2003	\$197.96	Open	50
Legal Loan (Indigent)	RCI	00	01/03/2006	\$71.94	Open	50
Legal Loan (Indigent)	RCI	00	08/11/2005	\$66.20	Open	50
Legal Loan (Indigent)	CCI	00	01/04/2005	\$120.37	Open	50
Legal Loan (Indigent)	CCI	00	03/06/2007	\$57.82	Open	50
Legal Loan (Indigent)	GBCI	00	02/20/2007	\$141.51	Open	50
Legal Loan (Indigent)	GBCI	00	08/09/2006	\$75.25	Open	50
Legal Loan (Indigent)	CCI	00	01/06/2009	\$176.14	Open	50
Legal Loan (Indigent)	CCI	00	01/04/2008	\$200.78	Open	50
Legal Loan (Indigent)	WSPF	00	03/15/2011	\$170.98	Open	50
Legal Loan (Indigent)	WSPF	00	12/15/2010	\$0.99	Open	50
Legal Loan (Indigent)	GBCI	00	03/04/2010	\$198.81	Open	50
Legal Loan (Indigent)	WSPF	00	05/18/2009	\$23.71	Open	50
Legal Loan (Indigent)	WSPF	00	01/14/2013	\$99.84	Open	50
Legal Loan (Indigent)	GBCI	00	01/09/2001	\$83.21	Open	50
Legal Loan (Indigent)	CCI	00	05/29/2002	\$101.79	Open	50
Legal Loan (Indigent)	GBCI	00	01/30/2017	\$99.95	Open	50
Legal Loan (Indigent)	GBCI	00	01/22/2018	\$48.94	Open	50
Legal Loan - Postage	GBCI	00	09/24/2018	\$10.21	Open	50
Legal Loan - Postage	GBCI	00	02/01/2019	\$35.16	Open	50
Legal Loan - Copies	GBCI	00	09/24/2018	\$6.00	Open	50
Legal Loan - Copies	GBCI	00	06/07/2019	\$20.40	Open	50
Legal Loan - Supplies	GBCI	00	08/31/2018	\$8.42	Open	50
Legal Loan - Supplies	GBCI	00	02/01/2019	\$32.86	Open	50
Legal Loan - Supplies	GBCI	00	02/17/2020	\$40.49	Open	50
Legal Loan - Postage	GBCI	00	03/11/2020	\$31.80	Open	50
Legal Loan - Copies	GBCI	00	06/03/2020	\$17.55	Open	50

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Wisconsin Secure Program Facility
From 03/08/2025 through 03/14/2025
Canteen Items discontinued # 85846, 58525, 85197, 54435

DOC #: 331230
Name: SIMPSON, WILLIE C
Location: _A/R3 _321/_L

Legal Loan - Copies	GBCI	00	02/25/2021	\$49.35	Open	50
Legal Loan - Supplies	GBCI	00	02/25/2021	\$20.99	Open	50
Legal Loan - Postage	GBCI	00	03/16/2021	\$23.32	Open	50
Legal Loan - Supplies	GBCI	00	01/19/2022	\$21.08	Open	50
Legal Loan - Copies	GBCI	00	01/28/2022	\$28.50	Open	50
Legal Loan - Postage	GBCI	00	01/28/2022	\$41.17	Open	50
Legal Loan - Copies	WSPF	00	02/02/2023	\$67.50	Open	50
Legal Loan - Postage	WSPF	00	02/08/2023	\$23.01	Open	50
Legal Loan - Supplies	WSPF	00	02/09/2023	\$6.30	Open	50
Legal Loan - Supplies	WSPF	00	01/17/2024	\$13.60	Open	50
Legal Loan - Copies	WSPF	00	05/20/2024	\$7.80	Open	50
Legal Loan - Postage	WSPF	00	05/21/2024	\$20.47	Open	50
Institution Restitution	WSPF	00	CR2241934	\$1,685.10	Open	50
Institution Restitution	WSPF	00	CR2211982	\$8.00	Open	50
Institution Restitution	WSPF	00	CR2155273	\$8,075.39	Open	50
Institution Restitution	WSPF	00	CR2211966	\$2,200.00	Open	50
Institution Restitution	WSPF	00	CR 2356076	\$1,374.45	Open	50
Institution Restitution	GBCI	00	CR#1690587	\$54.50	Open	50
Institution Restitution	GBCI	00	CR#1759831	\$23.10	Open	50
Institution Restitution	WSPF	00	CR2356727	\$125.66	Open	50
Court Costs		BA	96CF5778	\$60.00	Open	50
Court Costs		BB	99CF4849	\$25.00	Open	50
Court Costs		BC	11CF123	\$100.00	Open	50
Court Costs		BD	11CF220	\$1,056.00	Open	50
Court Costs	WCI	BG	12CF66	\$352.00	Open	50
Court Costs		BH	12CF66	\$176.00	Open	50
Supervision Fee~		00	04/09/1997		Open	0

Account Activity:

Date	Acct Type	Facility	Transaction Description	Receipt/Info Number	Amount
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