No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

TERRY DARRELL SMITH — PETITIONER
(Your Name)

VS.

MR. J. MYRICK,et.,al — 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):
OREGON COURT OF APPEALS, FOR PORT-CONVICTION RELIEF APPEAL;
UMATILLA CIRCUT COURT; FOR POST-CONVICTION RELIEF PETITION;
OREGON COURT OF APPEEALS; FOR DIRECT APPEAL;
JACKSON COUNTY CIRCUIT COURT; FOR TRIAL PROCEEDINGS.

☐ 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: _____
PURSUANT TO ORS 138.500(2)
_____, or

☒ a copy of the order of appointment is appended.
APPENDIX J, O & P

Terry Darrell S

(Signature)

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

I, TERRY DARRELL SMITH, 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	$ N/A	$ N/A	$ N/A	$ N/A
Self-employment	$	$	$	$
Income from real property (such as rental income)	$	$	$	$
Interest and dividends	$	$	$	$
Gifts	$	$	$	$
Alimony	$	$	$	$
Child Support	$ N/A	$	$ N/A	$
Retirement (such as social security, pensions, ~~XXA~~ annuities, insurance)	$ N/A	$	$ N/A	$
Disability (such as social security, insurance payments)	* $ 256.09	$	* $ 256.09	$
Unemployment payments	$	$	$	$
Public-assistance (such as welfare)	$	$	$	$
Other (specify): N/A	$ N/A	$	$ N/A	$
Total monthly income:	* $ 256.09	$ N/A	$ 256.09	$ N/A

*VETERANS ADMIN. DISABILITY COMP.

*** UNERNED INCOME ONLY!

	You	Your spouse
Transportation (not including motor vehicle payments)	$ N/A	$ N/A
Recreation, entertainment, newspapers, magazines, etc.	$ ~~32.00~~ $3	$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	$ N/A	$
Life	$	$
Health	$	$
Motor Vehicle	$	$
Other: NONE	$ N/A	$
Taxes (not deducted from wages or included in mortgage payments)		
(specify): N/A	$ N/A	$
Installment payments		
Motor Vehicle	$	$
Credit card(s)	$	$
Department store(s)	$	$
Other: NONE	$	$
Alimony, maintenance, and support paid to others	$	$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	$ N/A	$
Other (specify): VA OVERPAYMENT DEBT, $62,000.00 MONTHLY PAYMENT $117.00.	$ ~~62,000.00~~ $117.00 /c	$
Total monthly expenses:	$ 180.00 est.	$ N/A

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 (INCARCERATED)	N/A	N/A	$ N/A

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	N/A	N/A	$ 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	Amount your spouse has
DOC INMATE CENTRAL TRUST ACCOUNT	N/A	$ 5,800.00	$ N/A
N/A		$ N/A	$ 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 N/A

☐ Other real estate
Value N/A

☐ Motor Vehicle #1
Year, make & model N/A
Value N/A

☐ Motor Vehicle #2
Year, make & model N/A
Value N/A

☐ Other assets
Description NONE
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
N/A	$ N/A	$ N/A

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

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) Are real estate taxes included? ☐ Yes ☐ No Is property insurance included? ☐ Yes ☐ No	$ N/A	$ N/A
Utilities (electricity, heating fuel, water, sewer, and telephone)	$	$
Home maintenance (repairs and upkeep)	$	$
Food	$ N/A	$
Clothing-DIABETIC SHOES AND COMPRESSION SOCKS.	$ 1000.00 est.	$
Laundry and dry-cleaning	$ N/A	$
Medical and dental expenses-EYE GLASSES, WHEELCHAIR PAD, DENTURES,AND MISC.	$ 500.00 est.	$ 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? 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 RECEIVES NO EARNED INCOME AND HAS INSUFFICIENT FUNDS TO PAY FOR THE COST OF AN ATTORNEY.

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

Executed on: December 20, 2017

Terry Darrell
(Signature)