

No. _____

I N T H E
SUPREME COURT OF THE UNITED STATES
October Term, 2017

SAMUEL GASCA DURAN,

Petitioner

-VS-

LORIE DAVIS, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent

PETITION FOR WRIT OF CERTIORARI
T O T H E
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

SAMUEL G. DURAN, pro se
Robertson Unit, TDCJ No. 1529734
12071 FM 3522
Abilene, Texas 79601-8799

Petitioner

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No. _____

I N T H E
SUPREME COURT OF THE UNITED STATES
October Term, 2017

SAMUEL GASCA DURAN, Petitioner

-vs-

LORIE DAVIS, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

On Petition for Writ of Certiorari
t o t h e
United States Court of Appeals
for the Fifth Circuit

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner respectfully asks for leave to file the attached petition for writ of certiorari, without prepayment of costs, and to proceed in forma pauperis.

Petitioner has previously been granted leave to proceed as a pauper in the United States Court of Appeals for the Fifth Circuit, the Fifth Court of Appeals of Texas at Dallas, and the 366th Judicial District Court of Collin County, Texas. Petitioner has attached, hereto, his declaration in support of this motion.

Most Respectfully Submitted,



SAMUEL GASCA DURAN, Petitioner
Robertson Unit, TDCJ No. 1529734
12071 FM 3522
Abilene, Texas 79601-8799

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

I, Samuel Gasca Duran, am the petitioner in the above-entitled case. In support of my motion to proceed without being required to prepay fees, costs or give security therefor, 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.

I further swear that the responses I have made to the questions and instructions below relating to my ability to pay the cost of proceeding in this Court are true.

1. Are you presently employed? Yes ___ No XX
a. If the answer is yes, state the amount of your salary or wages per month and give the name and address of your employer.

- b. If the answer is no, state the date of your last employment and the amount of salary or wages per month which you received.

2. **2006 \$1,200.00 per month**
Have you received within the past twelve months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, or other sources? Yes **XX** No

- a. If the answer is yes, describe each source of income and state the amount received from each during the past twelve months.

Family and Friends: \$ 225.00

3. Do you own any cash or have a checking or savings account? Yes No XX

- a. If the answer is yes, state the total value of the items owned.

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing): Yes No XX

- a. If the answer is yes, describe the property and state its approximate value.

5. List the persons who are dependent upon you for support and state your relationship to those persons. **NONE**

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

Executed on: **February 23, 2018.**

Samuel G. Duran
(Signature)