

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Clarence W. Seeley, Jr. — PETITIONER
(Your Name)

VS.

Indiana — 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):

Indiana Court of Appeals per Order dated
7/1/2016 by the Fayette Circuit 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.

☐ 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.

Clarence Seeley
(Signature)

STATE OF INDIANA)
) SS:
 COUNTY OF FAYETTE)

IN THE FAYETTE CIRCUIT COURT

CALENDAR TERM 2016

CLARENCE W. SEELEY, JR.,)
 Plaintiff,)

- vs. -)

CAUSE NO. 21C01-1108-PC-00718

STATE OF INDIANA,)
 Defendant.)

**ORDER GRANTING PLAINTIFF'S MOTION
 FOR APPOINTMENT OF PAUPER COUNSEL
 AND TO PROCEED ON APPEAL IN FORMA PAUPERIS**

The Plaintiff having filed his Motion for Appointment of Pauper Counsel and to Proceed on Appeal *In Forma Pauperis*, which reads in words and figures, to-wit: (H.I.)

And the Court being duly advised, the Court now grants Plaintiff's Motion. The Court finds the Plaintiff to be indigent and orders that he should be allowed to proceed on appeal *in forma pauperis*.

Further, the Court hereby appoints Indiana Public Defender's Office to serve as appellate counsel for the Plaintiff.

SO ORDERED this 15th day of July, 2016.

[Signature]
 Judge, Fayette Circuit Court

Distribution:

Special Prosecutor Wilhelm
 Briggs
 Indiana Public Defender's Office

FILED

JUL - 1 2016

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

I, Clarence W. Seeley, Jr., 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	\$ _____	\$ _____	\$ _____	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): <u>Jail Income</u>	\$ <u>10.00</u>	\$ <u> </u>	\$ <u>10.00</u>	\$ <u> </u>
Total monthly income:	\$ <u>10.00</u>	\$ <u> </u>	\$ <u>10.00</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
Indiana Dept. of Corrections		2010 - present	\$ 10.00
			\$
			\$

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-
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
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
☐ Motor Vehicle #1 Year, make & model N/A Value	☐ Motor Vehicle #2 Year, make & model 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>N/A</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>	_____	_____
_____	_____	_____
_____	_____	_____

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)

\$ N/A \$ N/A

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

incarcerated

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

\$ _____

Home maintenance (repairs and upkeep)

\$ _____

Food

\$ _____

Clothing

\$ _____

Laundry and dry-cleaning

\$ _____

Medical and dental expenses

\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>N/A</u>	\$ <u>N/A</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>incarcerated</u>	\$ _____
	<u>since 2010</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:

Attorney acting pro bono

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:

N/A

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

I have been incarcerated since 2010, and my extended family have exhausted their resources and can no longer help me.

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

Executed on: March 16, 2018

Clarence Sealey
(Signature)