

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Gary Lynn McDuff — PETITIONER
(Your Name)

VS.

Securities and Exchange Comm'n — 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*.

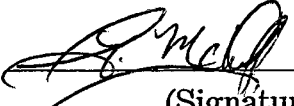
[x] Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

USDC E.D. Texas case no. 4:09-CR-00090 (Trial court)

USCA5 5th Circuit case(s) no. 14-40780 and 14-40905 (Appellate 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.


(Signature)
Gary Lynn McDuff
Reg. No. 59934-079
FCC Beaumont (Low)
P.O. Box 26020
Beaumont, TX 77720-6020

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
BOP Education Dept	FCC Beaumont Low TX	2014 - 2018	\$ 35.00
			\$
			\$

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
PISD - Pasadena Independent School District	Pasadena, Texas	unknown	\$ unknown
			\$
			\$

4. How much cash do you and your spouse have? \$
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
Federal BOP	commissary	\$ 99.56	\$ unknown
		\$	\$
		\$	\$

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 (Spouse's)

Year, make & model unknown

Value unknown

☐ Motor Vehicle #2

Year, make & model none

Value _____

☐ Other assets

Description none

Value none

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

I, Gary Lynn McDuff, 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>420.00</u>	\$ <u>unknown</u>	\$ <u>35.00</u>	\$ <u>unknown</u>
Self-employment	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>
Income from real property (such as rental income)	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>
Interest and dividends	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>
Gifts	\$ <u>none</u>	\$ <u>unknown</u>	\$ <u>none</u>	\$ <u>unknown</u>
Alimony	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>
Child Support	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>
Disability (such as social security, insurance payments)	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>
Unemployment payments	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>
Public-assistance (such as welfare)	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>	\$ <u>none</u>
Other (specify): <u>from family</u>	\$ <u>900.00</u>	\$ <u>unknown</u>	\$ <u>100.00</u>	\$ <u>unknown</u>
Total monthly income:	\$ <u>1,320.00</u>	\$ <u>unknown</u>	\$ <u>135.00</u>	\$ <u>unknown</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>none</u>	\$ <u>unknown</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>none</u>	\$ <u>unknown</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>none</u>	\$ <u>none</u>
Life	\$ <u>none</u>	\$ <u>unknown</u>
Health	\$ <u>none</u>	\$ <u>unknown</u>
Motor Vehicle	\$ <u>none</u>	\$ <u>unknown</u>
Other: _____	\$ <u>none</u>	\$ <u>unknown</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>none</u>	\$ <u>unknown</u>
Installment payments		
Motor Vehicle	\$ <u>none</u>	\$ <u>unknown</u>
Credit card(s)	\$ <u>none</u>	\$ <u>unknown</u>
Department store(s)	\$ <u>none</u>	\$ <u>unknown</u>
Other: _____	\$ <u>none</u>	\$ <u>unknown</u>
Alimony, maintenance, and support paid to others	\$ <u>none</u>	\$ <u>none</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>none</u>	\$ <u>none</u>
Other (specify): <u>Court ordered FRP</u>	\$ <u>8.33</u>	\$ <u>none</u>
Total monthly expenses:	\$ <u>117.04</u>	\$ <u>unknown</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? _____

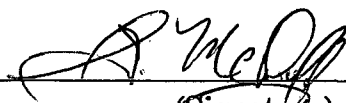
If yes, state the person's name, address, and telephone number:

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

Incarcerated and unemployed since May 24, 2012.

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

Executed on: May 3, 2018


(Signature)

Gary Lynn McQuiff
Reg. No. 59934-079
FCCI Beaumont (Low)
P.O. Box 26020
Beaumont, TX 77720-6020