

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

ROBERT H. BARNETT — PETITIONER
(Your Name)

VS.

LAUREL COUNTY, 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):

U.S. District Court, Eastern District of Kentucky (Lexington) and
(Covington); U.S. Court of Appeals for the Sixth Circuit

☐ 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: 28 U.S.C.
§ 1915(b)., or

☐ a copy of the order of appointment is appended.

Robert H. Barnett
(Signature)

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

I, Robert H. Barnett, 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 Incarcerated	\$ <u>0</u>	\$ <u>Retired</u>	\$ <u>0</u>	\$ <u>Retired</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>NA</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
Incarcerated	NA	NA	\$ 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
Incarcerated	NA	NA	\$ 0
			\$
			\$

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.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
Inmate Commissary Account	\$ NA	\$ NA
	\$	\$
	\$	\$

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

☐ Home
Value Incarcerated

☐ Other real estate
Value NA

☐ Motor Vehicle #1
Year, make & model NA
Value NA

☐ Motor Vehicle #2
Year, make & model NA
Value NA

☐ Other assets
Description None
Value NA

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>Bill Polan</u>	<u>\$ 7,000.00</u>	<u>\$ NA</u>
<u> </u>	<u>\$</u>	<u>\$</u>
<u> </u>	<u>\$</u>	<u>\$</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>NA</u>	<u>NA</u>	<u>NA</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </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)	<u>\$ Incarcerated</u>	<u>\$ NA</u>
Are real estate taxes included? ☐ Yes ☒ No		
Is property insurance included? ☐ Yes ☒ No		
Utilities (electricity, heating fuel, water, sewer, and telephone) <u>Incarcerated</u>	<u>\$ 0</u>	<u>\$ NA</u>
Home maintenance (repairs and upkeep)	<u>\$ 0</u>	<u>\$ NA</u>
Food <u>Incarcerated</u>	<u>\$ 0</u>	<u>\$ NA</u>
Clothing <u>Incarcerated</u>	<u>\$ 0</u>	<u>\$ NA</u>
Laundry and dry-cleaning <u>Incarcerated</u>	<u>\$ 0</u>	<u>\$ NA</u>
Medical and dental expenses <u>NA</u>	<u>\$ 0</u>	<u>\$ NA</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>NA</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>NA</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's <u>Incarcerated</u>	\$ <u>0</u>	\$ <u>NA</u>
Life <u>Incarcerated</u>	\$ <u>0</u>	\$ <u>NA</u>
Health <u>Incarcerated</u>	\$ <u>0</u>	\$ <u>NA</u>
Motor Vehicle <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Other: <u>None</u>	\$ <u>0</u>	\$ <u>NA</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Incarcerated</u>	\$ <u>0</u>	\$ <u>NA</u>
Installment payments <u>Incarcerated</u>		
Motor Vehicle <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Credit card(s) <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Department store(s) <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Other: <u>None</u>	\$ <u>0</u>	\$ <u>NA</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>NA</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>NA</u>
Other (specify): <u>Personal hygiene and Telephone</u>	\$ <u>60.00</u>	\$ <u>NA</u>
Total monthly expenses:	\$ <u>60.00</u>	\$ <u>NA</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? 0

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

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? 0

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

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

I am a federal prisoner who has been incarcerated approximately ten years in pre-trial and federal custody. I am 79 years old and cannot work in the Bureau of Prisons due to my numerous physical ailments, cognitive abilities and the documented fact I am confined to a wheelchair. I must rely on the kindness and compassion of my children and wife in order to purchase personal hygiene and money for the telephone. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 16, 2018

Robert H Barnett

(Signature)

All Transactions



Inmate Reg #: 12989032
 Inmate Name: BARNETT, ROBERT
 Report Date: 05/01/2018
 Report Time: 7:43:09 AM

Current Institution: Beckley FCI
 Housing Unit: BEC-A-C
 Living Quarters: A05-116L

<u>Date/Time</u>	<u>Transaction Type</u>	<u>Amount</u>	<u>Ref#</u>	<u>Payment#</u>	<u>Balance</u>
4/19/2018 7:54:36 PM	Phone Withdrawal	(\$20.00)	TFN0419		\$242.28
4/17/2018 11:00:29 AM	Sales - No FP (Inmate Exempt)	(\$38.36)	58		\$262.28
4/8/2018 5:14:56 AM	Lockbox - CD	\$300.00	70156102		\$300.64
3/19/2018 11:11:24 AM	Sales - No FP (Inmate Exempt)	(\$1.70)	70		\$0.64
3/19/2018 11:10:20 AM	Sales - No FP (Inmate Exempt)	(\$17.65)	69		\$2.34
3/13/2018 10:14:34 AM	Sales - No FP (Inmate Exempt)	(\$25.04)	45		\$19.99
3/5/2018 10:31:30 AM	Sales - No FP (Non-FP Session)	(\$42.81)	66		\$45.03
3/1/2018 2:49:30 PM	Inmate Co-pay	(\$2.00)	TICP0318		\$87.84
3/1/2018 7:49:22 AM	Inmate Co-pay	(\$2.00)	TICP0318		\$89.84
2/22/2018 11:32:26 AM	Sales - No FP (Inmate Exempt)	(\$17.10)	72		\$91.84
2/12/2018 10:22:20 AM	Sales - No FP (Non-FP Session)	(\$17.55)	88		\$108.94
2/5/2018 10:21:31 AM	Sales - No FP (Non-FP Session)	(\$20.48)	45		\$126.49
1/30/2018 10:12:58 AM	Sales - No FP (Non-FP Session)	(\$25.70)	19		\$146.97
1/9/2018 12:53:56 PM	Sales - No FP (Non-FP Session)	(\$12.35)	141		\$172.67
1/4/2018 11:33:42 AM	Sales - No FP (Non-FP Session)	(\$27.00)	58		\$185.02
12/24/2017 5:48:56 PM	Phone Withdrawal	(\$20.00)	TFN1224		\$212.02
12/20/2017 11:43:35 AM	Sales - No FP (Non-FP Session)	(\$20.75)	7		\$232.02
12/14/2017 8:02:14 AM	Inmate Co-pay	(\$2.00)	TICP1217		\$252.77
12/5/2017 11:27:22 AM	Sales - No FP (Non-FP Session)	(\$7.60)	51		\$254.77
11/27/2017 5:52:42 PM	Phone Withdrawal	(\$20.00)	TFN1127		\$262.37
11/27/2017 11:03:24 AM	Sales - No FP (Inmate Exempt)	(\$21.25)	90		\$282.37
11/26/2017 5:22:33 AM	Lockbox - CD	\$300.00	70146902		\$303.62
11/13/2017 10:46:09 AM	Sales - No FP (Non-FP Session)	(\$36.85)	85		\$3.62
11/8/2017 10:18:04 AM	Sales - No FP (Non-FP Session)	(\$15.70)	15		\$40.47
11/7/2017 6:09:08 PM	TRUL Withdrawal	(\$10.00)	TL1107		\$56.17
10/30/2017 10:53:10 AM	Sales - No FP (Non-FP Session)	(\$37.70)	60		\$66.17
10/24/2017 11:37:30 AM	Sales - No FP (Non-FP Session)	(\$88.35)	68		\$103.87
10/16/2017 9:47:39 AM	TRUL Withdrawal	(\$2.00)	TL1016		\$192.22
10/15/2017 6:27:18 PM	Phone Withdrawal	(\$20.00)	TFN1015		\$194.22
10/15/2017 6:26:56 PM	TRUL Withdrawal	(\$5.00)	TL1015		\$214.22
10/14/2017 5:22:52 PM	TRUL Withdrawal	(\$5.00)	TL1014		\$219.22
10/14/2017 8:59:14 AM	TRUL Withdrawal	(\$5.00)	TL1014		\$224.22
10/11/2017 9:16:46 AM	TRUL Withdrawal	(\$5.00)	TL1011		\$229.22
10/10/2017 7:50:39 AM	Sales - No FP (Non-FP Session)	(\$16.30)	36		\$234.22
10/3/2017 10:17:34 AM	Sales - No FP (Non-FP Session)	(\$59.05)	48		\$250.52
10/1/2017 12:35:07 PM	Phone Withdrawal	(\$10.00)	TFN1001		\$309.57
9/22/2017 5:10:51 AM	Lockbox - CD	\$300.00	70142701		\$319.57
9/18/2017 10:22:21 AM	Sales - No FP (Non-FP Session)	(\$3.95)	78		\$19.57
9/12/2017 10:49:51 AM	Sales - No FP (Non-FP Session)	(\$17.15)	67		\$23.52
9/5/2017 11:11:58 AM	Sales - No FP (Non-FP Session)	(\$12.65)	116		\$40.67
8/31/2017 10:52:53 AM	Inmate Co-pay	(\$2.00)	SICP0817		\$53.32
8/29/2017 11:14:04 AM	Sales - No FP (Non-FP Session)	(\$8.05)	10		\$55.32
8/28/2017 6:55:08 PM	TRUL Withdrawal	(\$5.00)	TL0828		\$63.37
8/24/2017 11:10:00 AM	Sales - No FP (Non-FP Session)	(\$18.95)	61		\$68.37
8/14/2017 10:51:30 AM	Sales - No FP (Non-FP Session)	(\$32.70)	87		\$87.32
8/7/2017 11:45:52 AM	Sales - No FP (Non-FP Session)	(\$19.95)	132		\$120.02