

No. _____

IN THE

Supreme Court of the United States

GLEN RAY MAXWELL, PETITIONER

VS.

THE STATE OF CALIFORNIA, RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI
TO THE CALIFORNIA COURT OF APPEAL
SIXTH APPELLATE DISTRICT

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

Affidavit in Support of Motion.

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Instructions:

Complete all questions in this application and then sign it. Do not leave any blanks. If the answer to a question is “O”, “none,” or “not applicable (N/A)”, write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case’s docket number, and the question number.

Signed: /s/ (original filed)

Dated: March 1, 2018

My issue on appeal is:

Whether the Fourth Amendment to the United States Constitution requires that police obtain a search warrant before conducting a visual body cavity search incident to arrest, absent a showing of exigent circumstances?

FINANCIAL DECLARATION

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 other deductions.

<u>Amount</u>	<u>past 12 months</u>	<u>next month</u>
Employment	<u>\$20</u>	<u>none</u>
Self-employment	<u>none</u>	<u>none</u>
Income from real property (such as rental income)	<u>none</u>	<u>none</u>
Interest and dividends	<u>none</u>	<u>none</u>
Gifts	<u>none</u>	<u>none</u>
Alimony/child support	<u>none</u>	<u>none</u>
Retirement (e.g. social security, pensions, annuities, insurance)	<u>none</u>	<u>none</u>
Disability (e.g. social security, insurance payments)	<u>none</u>	<u>none</u>
Unemployment payments	<u>none</u>	<u>none</u>
Public assistance (e.g. welfare)	<u>\$150 (G.A.)</u>	<u>\$150 (G.A.)</u>

Other income (specify) \$200 (food stamps) \$200 (food stamps)

Total monthly income (avg.) \$370 \$350

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates	Gross monthly pay
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I was employed by the State of California fighting forest fires as a prison inmate until I was released in October of 2017. My average monthly pay was \$40/month plus an additional \$1/hour when fighting fires, which increased my monthly average income to about \$80/month.

No previous regular employment for the past twenty years.

3. List your spouse's employment history, most recent employer first.

Not married

4. How much cash do you have?

None.

Below, state any money you have in bank accounts or any other financial institution.

Financial Institution	Type of Account	Amount Deposited
None	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.

Real estate

Principal residence	Address	Equity (value less debt)
<u>None</u>	<u></u>	<u></u>
Other real estate	Address	Equity (value less debt)
<u>None</u>	<u></u>	<u></u>

Motor Vehicles

Value

Motor vehicle #1 \$900 (fair condition)

Make/Year: Toyota 1999

Model: Corolla

Reg. #: 1NXBR12E5XZ206409

Motor Vehicle #2 N/A

Make/Year:

Model:

Reg. #:

Other Assets

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

None

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

None

8. Estimate the average monthly expenses of you and your family. (If married, show separately the amounts paid by your spouse.) Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

Not married.

Rent or home mortgage payment	<u>None (homeless).</u>
Are real estate taxes included?	<u>N/A</u>
Is property insurance included?	<u>N/A</u>
Utilities (electricity, heating fuel, water, sewer, and telephone)	<u>None</u>
Home maintenance (repairs and upkeep)	<u>None</u>
Utilities (electricity, heating fuel, water, sewer, and telephone)	<u>None</u>
Home maintenance (repairs and upkeep)	<u>None</u>
Food	<u>\$240</u>
Clothing	<u>None</u>
Laundry and dry cleaning	<u>\$12</u>
Medical and dental	<u>\$10</u>
Transportation	<u>\$40</u>
Recreation (entertainment, newspapers, etc.)	<u>None</u>

Insurance (not deducted from wages or included in mortgage payments)

Homeowner's or renter's insurance None

Life insurance None

Health insurance None

Motor vehicle insurance \$47

Taxes (not deducted from wages or
Included in mortgage payments)

Federal income tax None

State income tax None

Real estate tax None

Motor vehicle payments None

Credit card None

Department store None

Alimony, child support paid to others None

Regular expenses for operation of a
business, profession or farm None

Other monthly expenses (please specify) None

Total monthly expenses (avg.)

\$349

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 ☒

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 ☒

11. Have you paid - or will you be paying - anyone other than an attorney (such as a paralegal or typist) any money for services in connection with this case, including the completion of this form? Yes ☐ No ☒

12. Please provide any other information that will help explain why you cannot pay the docket fee for your appeal.

I am currently homeless, but I have been volunteering full-time at a nonprofit, re-entry program in San Jose in the hopes of building job skills and references for future employment.

13. State the address of your legal residence.

Glen Maxwell
c/o Silicon Valley De-Bug
701 Lenzen Avenue
San José, CA 95126

Your daytime phone number: (415) 261-3338

Your age: 55

Your years of schooling: 11th grade

Your social security number:

Case Number:

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