

19-7244

No. _____

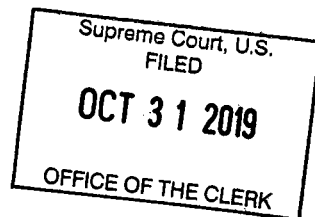
ORIGINAL

IN THE
Supreme Court of the United States

David Anson Alandt,
Petitioner

v.

State of Arkansas,
Respondent



**On Petition for Writ of Certiorari to the
Arkansas Supreme Court**

MOTION TO PROCEED IN FORMA PAUPERIS

Petitioner, David Anson Alandt, pursuant to Rule 39 of the Supreme Court of the United States, respectfully requests leave to file the attached Petition for Writ of Certiorari to the Arkansas Supreme Court without prepayment of costs and to proceed in forma pauperis.

Petitioner was declared indigent by order of the Saline County Court in 2017 prior to his bench trial and proceeded in forma pauperis in all subsequent proceedings in state court. The record of first judicial proceedings showing a finding of indigence is attached to this motion. In 2017, the Arkansas 22 Division Circuit Court appointed Steven Davis.

FORMAL ORDER

FILED
SALINE COUNTY
CIRCUIT CLERK

STATE OF ARKANSAS,)
) SCT.
SUPREME COURT)

2019 AUG -2 PM 3:48

BY: At

BE IT REMEMBERED, THAT A SESSION OF THE SUPREME COURT
BEGUN AND HELD IN THE CITY OF LITTLE ROCK, ON AUGUST 1, 2019,
AMONGST OTHERS WERE THE FOLLOWING PROCEEDINGS, TO-WIT:

SUPREME COURT CASE NO. CR-19-525

DAVID A. ALANDT

APPELLANT

V. APPEAL FROM SALINE COUNTY CIRCUIT COURT - 63CR-14-745

STATE OF ARKANSAS

APPELLEE

APPELLANT'S PRO SE PETITION AND AMENDED PETITION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS. PETITION MOOT; AMENDED PETITION DENIED.
HART, J., WOULD GRANT PETITION AND AMENDED PETITION.

APPELLANT'S PRO SE PETITION, AMENDED PETITION, AND SECOND
AMENDED PETITION FOR WRIT OF CERTIORARI TO COMPLETE THE RECORD.
PETITION AND AMENDED PETITION MOOT; SECOND AMENDED PETITION DENIED.
BAKER AND WOMACK, JJ., WOULD DENY PETITION. HART, J., WOULD GRANT
SECOND AMENDED PETITION.

IN TESTIMONY, THAT THE ABOVE IS A TRUE COPY OF
THE ORDER OF SAID SUPREME COURT, RENDERED IN
THE CASE HEREIN STATED, I, STACEY PECTOL,
CLERK OF SAID SUPREME COURT, HEREUNTO
SET MY HAND AND AFFIX THE SEAL OF SAID
SUPREME COURT, AT MY OFFICE IN THE CITY OF
LITTLE ROCK, THIS 1ST DAY OF AUGUST, 2019.

Stacey Pectol

CLERK

BY: _____

DEPUTY CLERK

ORIGINAL TO CLERK

CC: DAVID A. ALANDT

VADA BERGER, SENIOR ASSISTANT ATTORNEY GENERAL

HON. GARY ARNOLD, CIRCUIT JUDGE

IN THE CIRCUIT COURT OF 2nd COUNTY, ARKANSAS

2nd DIVISION

STATE OF ARKANSAS

PLAINTIFF

V.

CASE No. 14-745A-2

David Alant

DEFENDANT

AFFIDAVIT OF INDIGENCY

David Alant, the defendant in the above-captioned proceeding, being first duly sworn on oath, deposes and states:

A. PUBLIC DEFENDER INFORMATION

I have been evaluated by the office of the state public defender: ☒ Yes ☐ No

If yes, I have been found: ☒ Eligible ☐ Ineligible ☐ Partially Eligible

B. PERSONAL INFORMATION

Date of Birth: 10/9/80

Marital Status: ☒ Single ☐ Married ☐ Separated ☐ Divorced

Children and Ages: 0

Do these children live in the home? ☐ Yes ☐ No

Do any other persons live in your home? ☐ Yes ☐ No

If yes, explain: _____

C. EMPLOYMENT INFORMATION

Current Employer: 0

Address and Telephone of Employer: _____

Supervisor: _____ Net or take home pay: \$ _____ per: _____

If married and not separated:

Spouse's Employer: 0

Address and Telephone of Employer: _____

Supervisor: _____ Net or take home pay: \$ _____ per: _____

D. ASSETS (Include assets of spouse if married and not separated)

Cash: \$ _____

Stocks/Bonds: \$ _____

Savings: \$ _____

Cash Value Life Insurance: \$ _____

Checking: \$ _____

Other: \$ _____

E. NON-LIQUID ASSETS (Equity = value - money owed) (Include assets of spouse if married and not separated)

Real Estate (house): \$ _____

Vehicles (car, truck, cycle): \$ _____

Other: \$ _____

F. LIABILITIES (Money owed, including that of your spouse if married and not separated) (Include source, reason, amount and monthly payment)

SOURCE

REASON

TOTAL AMOUNT

MONTHLY PAYMENT

1. _____

2. _____

3. _____

G. AVERAGE MONTHLY BUDGET

House (rent, mortgage):	\$		Utilities:	\$	
Food:	\$		Health/Vehicle Insurance:	\$	
Transportation:	\$		Child Support:	\$	
Day Care:	\$		Recurring Prescription Drugs:	\$	
Recurring Medical:	\$		Court Proceeding:	\$	
Educational:	\$				

H. FAILED ATTEMPTS TO SECURE LEGAL COUNSEL

(List names and addresses of attorneys whom you have consulted)

I swear that the above statements are true and correct to the best of my knowledge and recollection; that I have not sold or disposed of any assets for less than their fair market value prior to the commencement of the above-captioned proceeding in order to obtain appointed counsel; and that I understand that furnishing false information under oath may subject me to a criminal prosecution, with a possible punishment of up to 6 years in the Arkansas Department of Corrections and a fine of up to \$10,000. Further, I state that any change in my financial condition will be reported to both this Court and appointed counsel immediately.

In exchange for legal representation provided by the State, I, David Alant, agree to pay the amount ordered by the Court, both upon the initial Appointment of an Attorney (user fee) and for any amount ordered by the Court after the case has concluded (attorney fee).

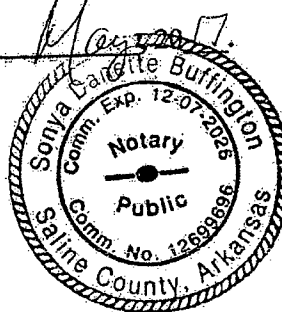
Your state income tax refund, legal settlements or favorable verdicts, lottery winnings, or any moneys or property forfeited by the State shall be intercepted to satisfy this debt under Ark. Code Ann. § 16-87-217.

Subscribed and sworn to before me this 12 day of May, 2017.

[Signature]
State of Arkansas Notary Public

My commission expires: 02/07/26

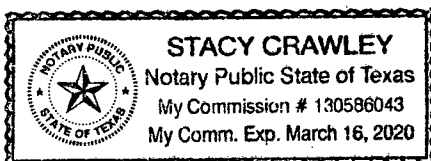
[Signature]
Defendant



JUDGE

DATE

[Signature]



[Signature]