

21-7973

No.

IN THE SUPREME COURT OF THE UNITED STATES

In re ROBERTO VILLARREAL

PETITIONER

ORIGINAL

Supreme Court, U.S.  
FILED

APR 14 2022

OFFICE OF THE CLERK

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of HABEAS CORPUS 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): United States District Court, District of Southern Texas

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.

Date: May 16, 2022

(Signature)

Roberto Villarreal

**ENTERED**

March 17, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

UNITED STATES OF AMERICA

§

*versus*

§

Case No. 5:20-mj-01090

§

Roberto Villarreal

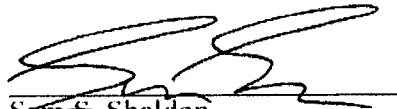
§

§

ORDER APPOINTING PUBLIC DEFENDER

Because the above-named defendant has testified under oath or has otherwise satisfied this court that he or she is financially unable to employ counsel, and does not wish to waive counsel, and because the interest of justice so requires, the Federal Public Defender is hereby appointed to represent this person in the above-designated case.

If appointment is made by a Magistrate Judge and the case subsequently proceeds to the United States District Court, the appointment shall remain in effect until terminated or a substitute attorney is appointed.



Sam S. Sheldon  
United States Magistrate Judge

Date: March 17, 2020

fill this out and send it back.

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

I, Roberto Villarreal, 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	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Self-employment	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Income from real property (such as rental income)	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Interest and dividends	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Gifts	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Alimony	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Child Support	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Retirement (such as social security, pensions, annuities, insurance)	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Disability (such as social security, insurance payments)	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Unemployment payments	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Public-assistance (such as welfare)	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
Other (specify): _____	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A
<b>Total monthly income:</b>	\$ - 0 -	\$ N/A	\$ - 0 -	\$ N/A

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
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ - 0 -</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ - 0 -</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ - 0 -</u>

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
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ - 0 -</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ - 0 -</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ - 0 -</u>

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
<u>None</u>	<u>\$ - 0 -</u>	<u>\$ - 0 - N/A</u>
<u>None</u>	<u>\$ - 0 -</u>	<u>\$ - 0 - N/A</u>
<u>None</u>	<u>\$ - 0 -</u>	<u>\$ - 0 - N/A</u>

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

<input type="checkbox"/> Home Value <u>None</u>	<input type="checkbox"/> Other real estate Value <u>None</u>
<input type="checkbox"/> Motor Vehicle #1 Year, make & model <u>None</u> Value <u>- 0 -</u>	<input type="checkbox"/> Motor Vehicle #2 Year, make & model <u>None</u> Value <u>- 0 -</u>
<input type="checkbox"/> Other assets Description <u>None</u> Value <u>- 0 -</u>	

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>none</u>	\$ <u>- 0-</u>	\$ <u>N/A</u>
<u>none</u>	\$ <u>- 0-</u>	\$ <u>N/A</u>
<u>none</u>	\$ <u>- 0-</u>	\$ <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>none</u>	<u>N/A</u>	<u>N/A</u>
<u>none</u>	<u>N/A</u>	<u>N/A</u>
<u>none</u>	<u>N/A</u>	<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)	\$ <u>- 0-</u>	\$ <u>N/A</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>- 0-</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>- 0-</u>	\$ <u>N/A</u>
Food	\$ <u>- 0-</u>	\$ <u>N/A</u>
Clothing	\$ <u>- 0-</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>- 0-</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>- 0-</u>	\$ <u>N/A</u>

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

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? W/A

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.

At the present time, I am incarcerated in federal prison and have no money to pay for the costs of this case.

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

Executed on: May 16, 2022

Roberto Villarreal  
(Signature)