

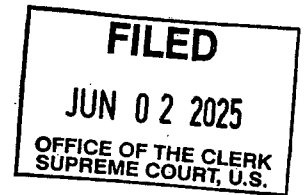
No. _____

25-5689

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES



KENNETH EUGENE GAGE — PETITIONER
(Your Name)

VS.

SUPERIOR COURT OF SANTA CLARA COUNTY RESPONDENT(S)
PEOPLE OF THE STATE OF CALIFORNIA, Real Party in Interest
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): SUPERIOR COURT OF SANTA CLARA COUNTY, CALIFORNIA COURTS OF APPEAL, FIRST AND SIXTH APPELLATE DISTRICTS, and
CALIFORNIA SUPREME COURT

☒ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in ~~any other court~~. U.S. DISTRICT COURT for the NORTHERN DISTRICT OF CALIFORNIA, and U.S. COURT OF APPEALS, NINTH CIRCUIT

☒ 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.

Kenneth E Gage

(Signature)

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

I, KENNETH EUGENE GAGE, 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>NONE</u>	\$ <u>DIVORCED</u>	\$ <u>NONE</u>	\$ <u>DIVORCED</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>	\$ _____
An out-of-state friend sometimes adds funds to my prison trust account				
Gifts for postage, medication, toilet supplies, food as canteen purchases				
Alimony	\$ <u>N/A</u>	\$ _____	\$ <u>N/A</u>	\$ _____
Child Support	\$ <u>N/A</u>	\$ _____	\$ <u>N/A</u>	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ _____	\$ <u>N/A</u>	\$ _____
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ _____	\$ <u>N/A</u>	\$ _____
Unemployment payments	\$ <u>N/A</u>	\$ _____	\$ <u>N/A</u>	\$ _____
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ _____	\$ <u>N/A</u>	\$ _____
Other (specify): _____	\$ <u>N/A</u>	\$ _____	\$ <u>N/A</u>	\$ _____
Total monthly income:	\$ <u>NONE</u>	\$ _____	\$ <u>NONE</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
NONE			\$ NONE
			\$
			\$

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
N/A			\$ N/A
			\$
			\$

ATTACHED IS A

4. How much cash do you and your spouse have? \$ prison trust account statement
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
NONE	\$ NONE	\$ N/A
	\$	\$
	\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings. NONE

☐ Home
Value N/A

☐ Other real estate
Value N/A

☐ Motor Vehicle #1 NONE
Year, make & model _____
Value N/A

☐ Motor Vehicle #2 NONE
Year, make & model _____
Value N/A

☐ Other assets
Description NONE
Value N/A

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
NONE	\$ NONE	\$ N/A
	\$	\$
	\$	\$

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
NONE (All Children are Grown)		

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)	\$ NONE	\$ N/A
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)	\$ N/A	\$
Home maintenance (repairs and upkeep)	\$ N/A	\$
Food	\$ N/A	\$
Clothing	\$ N/A	\$
Laundry and dry-cleaning	\$ N/A	\$
Medical and dental expenses	\$ N/A	\$

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

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? N/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? N/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.

Loss of employment in 1981 due to no-bail charges, then failure to release upon failed criminal trial, no judgment, no disposition.

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

Executed on: September 9, 2025



(Signature)

Institution: SOL

Inmate Statement Report

CDCR#	Inmate/Group Name	Institution	Unit	Cell/Bed
C71542	GAGE, KENNETH	SOL	D 021 2	022001

Current Available Balance: \$377.91

Transaction List

Transaction Date	Institution	Transaction Type	Source Doc#	Receipt#/Check#	Amount	Account Balance
06/19/2024	SOL	BEGINNING BALANCE				\$721.56
06/21/2024	SOL	LEGAL MAIL	LEG POSTAGE		(\$2.83)	\$718.73
06/21/2024	SOL	LEGAL MAIL	LEG POSTAGE		(\$2.83)	\$715.90
06/24/2024	SOL	LEGAL COPY	LEG COPIES		(\$8.00)	\$707.90
07/09/2024	SOL	SALES	11		(\$74.60)	\$633.30
07/30/2024	SOL	REGULAR MAIL	POSTAGE		(\$2.59)	\$630.71
08/12/2024	SOL	LEGAL MAIL	LEGAL MAIL		(\$2.59)	\$628.12
08/13/2024	SOL	SALES	26		(\$91.70)	\$536.42
08/14/2024	SOL	LEGAL MAIL	LEGAL MAIL		(\$2.59)	\$533.83
10/10/2024	SOL	INMATE DEPOSIT	CK# 9009	21590	\$250.00	\$783.83
10/15/2024	SOL	LEGAL MAIL	POSTAGE		(\$3.71)	\$780.12
10/15/2024	SOL	LEGAL MAIL	POSTAGE		(\$3.71)	\$776.41
10/15/2024	SOL	SALES	75		(\$135.30)	\$641.11
11/04/2024	SOL	INMATE DEPOSIT	CK# 4320052921	21651	\$18.50	\$659.61
11/08/2024	SOL	LEGAL MAIL	POSTAGE		(\$2.59)	\$657.02
11/14/2024	SOL	SALES	26		(\$109.35)	\$547.67
12/11/2024	SOL	REGULAR MAIL	POSTAGE		(\$4.31)	\$543.36
12/12/2024	SOL	SALES	21		(\$118.85)	\$424.51
12/13/2024	SOL	REGULAR MAIL	POSTAGE		(\$10.45)	\$414.06
01/14/2025	SOL	SALES	57		(\$82.00)	\$332.06
01/28/2025	SOL	INMATE DEPOSIT	CK# 9170	21884	\$250.00	\$582.06
02/11/2025	SOL	REGULAR MAIL	POSTAGE		(\$9.90)	\$572.16
02/11/2025	SOL	SALES	23		(\$98.70)	\$473.46
02/14/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$2.04)	\$471.42
02/14/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$2.04)	\$469.38
02/14/2025	SOL	REGULAR MAIL	LEGAL POSTAGE		(\$2.04)	\$467.34
03/11/2025	SOL	SALES	22		(\$98.50)	\$368.84
03/21/2025	SOL	REGULAR MAIL	REGULAR MAIL		(\$3.43)	\$365.41
04/03/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$3.43)	\$361.98
04/03/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$3.43)	\$358.55
04/03/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$3.43)	\$355.12
04/09/2025	SOL	REGULAR MAIL	IM TAWO POSTAGE		(\$3.15)	\$351.97
05/07/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$3.43)	\$348.54
05/07/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$3.43)	\$345.11
05/07/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$3.43)	\$341.68

Institution: SOL

Inmate Statement Report

Transaction Date	Institution	Transaction Type	Source Doc#	Receipt#/Check#	Amount	Account Balance
05/08/2025	SOL	REGULAR MAIL	IM TAWO		(\$1.50)	\$340.18
05/08/2025	SOL	REGULAR MAIL	IM TAWO		(\$1.50)	\$338.68
05/13/2025	SOL	INMATE DEPOSIT	MO# 40237122	22124	\$250.00	\$588.68
05/14/2025	SOL	LEGAL COPY	LEGAL COPY		(\$14.10)	\$574.58
05/14/2025	SOL	SALES	17		(\$95.85)	\$478.73
05/20/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$3.43)	\$475.30
06/03/2025	SOL	INMATE DEPOSIT	CK# 9380	22157	\$250.00	\$725.30
06/03/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$3.43)	\$721.87
06/03/2025	SOL	LEGAL MAIL	LEGAL MAIL		(\$3.43)	\$718.44
06/05/2025	SOL	REGULAR MAIL	REGULAR MAIL		(\$3.43)	\$715.01
06/11/2025	SOL	SALES	31		(\$87.10)	\$627.91

Encumbrance List

Encumbrance Type	Transaction Date	Amount
Negotiable Hold Instruments	06/03/2025	\$250.00

Obligation List

Obligation Type	Court Case#	Original Owed Balance	Sum of Tx for Date Range for Oblg	Current Balance
No information was found for the given criteria.				

Restitution List

Restitution	Court Case#	Status	Original Owed Balance	Interest Accrued	Sum of Tx for Date Range for Oblg	Current Balance
No information was found for the given criteria.						