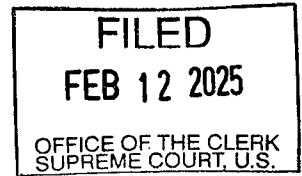


25-5888
No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Michael A Powell — PETITIONER
(Your Name)

VS.

Eric Guerrero — 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):

US Dist Court Northern Division Ft. Worth Texas
5th Circuit Court of Appeals Louisiana

☐ 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.

Michael A Powell
(Signature)

Michael A Powell
v
Bobby Lumpkin
TDCJ Director

USCA45 24-10702

IN the Supreme
Court of the
United States
of America

Affidavit and
Motion for leave to file in forma pauperis

Comes now Michael Allen Powell, petitioner in above cause
and asks for leave of court, to file in forma pauperis.

I AM indigent, and cannot afford to pay court costs.

I have included a certified trust fund statement

The trust fund statement certifies the six month
period prior to the filing of this petition. I have

also inclosed a form provided by the court

on this 26 day of March 2025 Michael Powell

unsworn declaration

I AM Michael A. Powell #1342523 incarcerated at 264
FM3478 Huntsville TX, Estelle Unit. I declare the
facts herein to be true, under penalty of perjury
on this 26 day of March 2025 Michael Powell

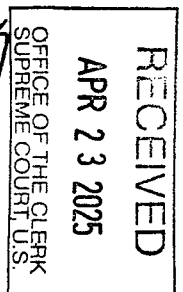
certificate of service

A true and correct copy of this motion was sent to
Ken Paxton 12548 Austin TX 78711 on this

26 day of MARCH 2025

placed in unit mailbox,

Michael Powell



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

I, Michael A. Powell, 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>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Gifts	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Child Support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</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
<u>None</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>
			\$
			\$

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
<u>None</u>	\$ _____	\$ _____
	\$ <u>0</u>	\$ <u>0</u>
	\$ _____	\$ _____

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

☐ Home
Value _____

☐ Other real estate
Value _____

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

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

☐ Other assets
Description Ebook copyrights The Cartoon Journal of Michael A.
Value 0

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>0</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>
_____	_____	_____
_____	_____	_____

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>0</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>0</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>0</u>
Food	\$ <u>0</u>	\$ <u>0</u>
Clothing	\$ <u>0</u>	\$ <u>0</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>0</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>0</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? 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.

I have been incarcerated 20 years, and have no income

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

Executed on: March 26, 2025

Michael J. Red
(Signature)

CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 04/08/25

1MMR/HS00192 IN-FORMA-PAUPERIS DATA 09:40:21

TDCJ#: 01342523 SID#: 03477741 LOCATION: ESTELLE INDIGENT DTE: 11/12/08

NAME: POWELL, MICHAEL ALLAN BEGINNING PERIOD: 10/01/24

PREVIOUS TDCJ NUMBERS: 00546310

CURRENT BAL: 0.00 TOT HOLD AMT: 0.00 3MTH TOT DEP: 16.20

6MTH DEP: 16.20 6MTH AVG BAL: 0.00 6MTH AVG DEP: 2.70

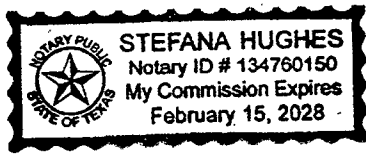
MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS

03/25 7.17 14.57 12/24 0.00 0.00

02/25 1.63 1.63 11/24 0.00 0.00

01/25 0.00 0.00 10/24 0.00 0.00

STATE OF TEXAS COUNTY OF Walker
ON THIS THE 8 DAY OF April, 2025 I CERTIFY THAT THIS DOCUMENT IS A TRUE,
COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE
COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG: [Signature]
PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: _____ OR SID NUMBER: _____



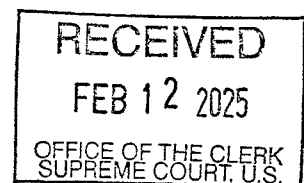
Powell
v
Lumpkin

In the United
States Supreme
Court

Motion to proceed forma pauperis
and Affidavit

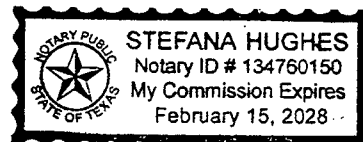
My name is Michael Allen Powell and I declare the following facts to be true, under penalty of perjury. I AM INCARCERATED AT 264 FM 3478 Huntsville TX. 77320 on this 24 day of January 2025. I do not have funds to pay for court fees, and have no assets of value, and have not had a deposit on my trust fund account in years. I ask this court to allow me to proceed forma pauperis. I cannot pay court fees. I have enclosed a certified trust fund statement.

Michael A Powell



CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 01/24/25
1MMR/HS00192 IN-FORMA-PAUPERIS DATA 11:23:50
TDCJ#: 01342523 SID#: 03477741 LOCATION: ESTELLE INDIGENT DTE: 11/12/08
NAME: POWELL, MICHAEL ALLAN BEGINNING PERIOD: 07/01/24
PREVIOUS TDCJ NUMBERS: 00546310
CURRENT BAL: 0.00 TOT HOLD AMT: 0.00 3MTH TOT DEP: 0.00
6MTH DEP: 8.77 6MTH AVG BAL: 0.00 6MTH AVG DEP: 1.46
MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS
12/24 0.00 0.00 09/24 0.00 0.00
11/24 0.00 0.00 08/24 0.00 0.00
10/24 0.00 0.00 07/24 7.64 8.77

STATE OF TEXAS COUNTY OF *Walker*
ON THIS THE *24* DAY OF *January*, *2025* I CERTIFY THAT THIS DOCUMENT IS A TRUE,
COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE
COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG: *[Signature]*
PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: _____ OR SID NUMBER: _____



CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 01/24/25
1MMR/HS00192 IN-FORMA-PAUPERIS DATA 11:23:50
TDCJ#: 01342523 SID#: 03477741 LOCATION: ESTELLE INDIGENT DTE: 11/12/08
NAME: POWELL, MICHAEL ALLAN BEGINNING PERIOD: 07/01/24
PREVIOUS TDCJ NUMBERS: 00546310
CURRENT BAL: 0.00 TOT HOLD AMT: 0.00 3MTH TOT DEP: 0.00
6MTH DEP: 8.77 6MTH AVG BAL: 0.00 6MTH AVG DEP: 1.46
MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS
12/24 0.00 0.00 09/24 0.00 0.00
11/24 0.00 0.00 08/24 0.00 0.00
10/24 0.00 0.00 07/24 7.64 8.77

STATE OF TEXAS COUNTY OF *Walker*
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COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE
COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG: *Step Hughes*
PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: _____ OR SID NUMBER: _____

