

No. 25-6077

ORIGINAL

Supreme Court, U.S.
FILED

AUG 19 2025

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

BRIAN WILLIAM SCHUMAKER, PETITIONER

VS.

UNITED STATES OF AMERICA, RESPONDENT

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner asks for leave to file the attached petition for writ of habeas corpus without payment of costs and to proceed in forma pauperis.

Petitioner has previously been granted leave to proceed in forma pauperis in the underlying USDC criminal Case No. 1:07-cr-00289-JLG (ND Ga 2007) and the U.S. court of Appeals for the Fourth Circuit, Appeal No. 17-7254. A copy of the 4th Cir. granting IFP is appended hereunder.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel, and the appointment of counsel was made under the Criminal Justice Act (1964); and 18 USC §3006A(a)(1)(A).

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Brian-William Schumaker

AGENT for
Petitioner

by restricted signature

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

I, Brian-William:Schumaker, 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 | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Self-employment | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Income from real property (such as rental income) | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Interest and dividends | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Gifts | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Alimony | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Child Support | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Retirement (such as social security, pensions, annuities, insurance) | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Disability (such as social security, insurance payments) | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Unemployment payments | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Public-assistance (such as welfare) | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Other (specify): <u>Loans</u> | \$ 0.00 | \$ n/a | \$ 0.00 | \$ n/a |
| Total monthly income: | \$ 0.00 | \$ n/a | \$ 0.00 | \$ 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 |
|-----------------|----------------|----------------------------|--------------------------|
| n/a | | | \$ n/a |
| | | | \$ |
| | | | \$ |

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 |
| | | | \$ |
| | | | \$ |

4. How much cash do you and your spouse have? \$ 0.01

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 |
|--|------------------------|-------------------------------|
| n/a | \$ 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.

Home
Value n/a

Other real estate
Value n/a

Motor Vehicle #1
Year, make & model n/a
Value n/a

Motor Vehicle #2
Year, make & model n/a
Value n/a

Other assets
Description n/a
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 |
|--|---------------------------|-----------------------------------|
| 0.00 | \$ 0.00 | \$ 0.00 |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |

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 |
|-------------|---------------------|------------|
| n/a | n/a | n/a |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

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) | \$ n/a | \$ 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 | n/a | |
| Utilities (electricity, heating fuel, water, sewer, and telephone) | \$ n/a | \$ n/a |
| Home maintenance (repairs and upkeep) | \$ n/a | \$ n/a |
| Food | \$ n/a | \$ n/a |
| Clothing | \$ n/a | \$ n/a |
| Laundry and dry-cleaning | \$ n/a | \$ n/a |
| Monthly Medications not Medical and dental expenses provided by FBOP | \$ 35.00 | \$ n/a |

| | You | Your spouse |
|---|----------------------------|----------------------|
| Transportation (not including motor vehicle payments) | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Recreation, entertainment, newspapers, magazines, etc. | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Insurance (not deducted from wages or included in mortgage payments) | | |
| Homeowner's or renter's | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Life | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Health | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Motor Vehicle | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Other: _____ | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Taxes (not deducted from wages or included in mortgage payments) | | |
| (specify): _____ <u>n/a</u> | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Installment payments | | |
| Motor Vehicle | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Credit card(s) | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Department store(s) | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Other: <u>Postage and phone expenses/mo.</u> | \$ <u>31.20</u> | \$ <u>n/a</u> |
| Alimony, maintenance, and support paid to others | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Other (specify): _____ | \$ <u>n/a</u> | \$ <u>n/a</u> |
| Total monthly expenses: | \$ <u>66.20/mo.</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? _____

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? _____

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.

Have incurred over extended over the passed 18 years family good will with their extending self sufficiency loans exceeding over \$200,000. that cover medication and personal hygiene with postage and phone call costs.

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

Executed on: October 15, 2025



(Signature)

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 17-7254

BRIAN WILLIAM SCHUMAKER,

Petitioner - Appellant,

v.

HECTOR JOYNER, Warden, FCI Estill,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Aiken.
Henry M. Herlong, Jr., Senior District Judge. (1:17-cv-01473-HMH)

Submitted: March 19, 2018

Decided: April 25, 2018

Before NIEMEYER, DUNCAN, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Brian William Schumaker, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brian William Schumaker, a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and dismissing his 28 U.S.C. § 2241 (2012) petition without prejudice. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Schumaker v. Joyner*, No. 1:17-cv-01473-HMH (D.S.C. July 19, 2017). We grant leave to proceed in forma pauperis and dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED