

No. 25-6350 **ORIGINAL**

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
AUG 22 2025
OFFICE OF THE CLERK

SAMUEL JOSEPH BARRETT

vs.

**WYOMING DEPARTMENT OF CORRECTIONS
STATE PENITENTIARY WARDEN,**

in her official capacity, also known as, Neicole Molden, et al

MOTION TO PROCEED *in forma pauperis*

Samuel Joseph Barrett, *Pro se*
Lincoln County Detention Center
PO Box 1364
Kemmerer, WY 83101

COMES NOW Samuel Joseph Barrett, *pro se* Petitioner, and respectfully moves this Honorable Court to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915(a). An affidavit of indigency and a financial statement from my institution of incarceration are attached hereto. Petitioner seeks to proceed in this action without prepayment of filing or other fees and costs.

The United States Court of Appeals for the Tenth Circuit ordered that Petitioner be permitted to proceed *in forma pauperis*.

RESPECTFULLY SUBMITTED this 1st day of December, 2025.



.....

Samuel J. Barrett
Appearing *Pro Se*
LCDC #33535
PO Box 1364
Kemmerer, WY 83101

**AFFIDAVIT ACCOMPANYING MOTION
FOR PERMISSION TO PROCEED *IN FORMA PAUPERIS***

Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name and the question number.

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 deductionns 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	\$4,953.00	\$0.00	\$4,953.00
Self-employment	\$0.00	\$0.00	\$0.00	\$0.00
Income from real property (such as rental income)	\$0.00	\$0.00	\$0.00	\$0.00
Interest and dividends	\$0.00	\$5.63	\$0.00	\$5.63
Gifts	\$0.00	\$0.00	\$0.00	\$0.00
Alimony	\$0.00	\$0.00	\$0.00	\$0.00
Child support	\$0.00	\$0.00	\$0.00	\$0.00
Retirement (such as social security, pensions, annuities, insurance)	\$0.00	\$0.00	\$0.00	\$0.00
Disability (such as social security, insurance payments)	\$0.00	\$0.00	\$0.00	\$0.00
Unemployment payments	\$0.00	\$0.00	\$0.00	\$0.00
Public-assistance (such as welfare)	\$0.00	\$0.00	\$0.00	\$0.00
Other (specify): Prison Stipend	\$45.00	\$0.00	\$45.00	\$0.00
Total Monthly Income:	\$45.00	\$4,958.63	\$45.00	\$4,958.63

2. *List your 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
Wyoming State Penitentiary	PO Box 400 Rawlins, WY 82301	March 1, 2024 - July 24, 2024	\$120.00

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
Loaf N Jug	179 S. Lennox St. Casper, WY 82601	December 1, 2023 - December 1, 2025	\$4,953.00

4. How much cash do you and your spouse have? \$ 280.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
Hilltop National Bank	Checking Account	\$0.00	\$600.00
Hilltop National Bank	Saving Account	\$0.00	\$4,500.00

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

Home	Other real estate	Motor vehicle #1	Motor vehicle #2
(Value) -\$85,000	(Value) N/A	(Value) N/A Make and year: N/A Model: N/A Registration #: N/A	(Value) N/A Make and year: N/A Model: N/A Registration #: N/A
Other assets	Other assets	Motor vehicle #3	Motor vehicle #4
(Value) N/A	(Value) N/A	(Value) N/A Make and year: N/A Model: N/A Registration #: N/A	(Value) N/A Make and year: N/A Model: N/A Registration #: N/A

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing your or your spouse money	Amount owed to you	Amount owed to your spouse
N/A	\$0.00	\$0.00

7. *State the persons who rely on you or your spouse for support.*

Name [or, if under 18, initials only]	Relationship	Age
Matthew Barrett	Son	22
Zachary Barrett	Son	19
C.B.	Son	17
A.B.	Son	12

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, semiannually, or annually to show the monthly rate.*

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$0.00	\$1,200.00
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$0.00	\$400.00
Home maintenance (repairs and upkeep)	\$0.00	\$400.00
Food	\$300.00	\$1,800.00
Clothing	\$20.00	\$150.00
Laundry and dry-cleaning	\$0.00	\$40.00
Medical and dental expenses	\$15.00	\$1,500.00
Transportation (not including motor vehicle payments)	\$0.00	\$1,200.00
Recreation, entertainment, newspapers, magazines, etc.	\$25.00	\$320.00
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renters:	\$0.00	\$0.00
Life:	\$0.00	\$0.00
Health:	\$0.00	\$0.00
Motor vehicle:	\$0.00	\$0.00
Other:	\$0.00	\$0.00
Taxes (not deducted from wages or included in mortgage payments)	\$0.00	\$0.00
(specify):		
Installment payments		
Motor vehicle:	\$0.00	\$0.00
Credit card (name):	\$0.00	\$0.00
Department store (name):	\$0.00	\$0.00
Other:	\$0.00	\$0.00
Alimony, maintenance, and support paid to others	\$0.00	\$0.00
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$0.00	\$0.00
Other (specify):	\$0.00	\$0.00
Total monthly expenses:	\$360.00	\$7,010.00

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 spent - or will you be spending - any money for expenses or attorney fees in connection with this lawsuit?*

Yes No If yes, how much? ~\$ 6,000

11. *Provide any other information that will help explain why you seek permission to proceed in forma pauperis.*

As an incarcerated person, I have neither the financial resources to hire an attorney or business to generate 40 booklet-formatted copies of my petition (Rule 33) nor the physical resources at my place of confinement to build 40 booklet-formatted copies of my petition (Rule 33). I therefore seek permission to proceed in forma pauperis so that I may submit my petition in 8.5" x 11" format. I received a distribution of \$48,642.75 from my late mother's estate on August 22, 2025. This distribution was further redistributed among my wife and 4 children in the amounts of \$16,000 and \$4,000, respectively (for a total redistribution of \$32,000) on August 25, 2025. Additionally, I repaid my brother \$5,068 on October 1, 2025 for legal fees he had incurred on my behalf, leaving me with only \$11,574.75 of the original distribution - all of which must sustain me for the rest of my incarceration as my mother was my only source of financial support. I expect to spend about \$6,000 of that \$11,574.75 on further legal fees, materials and postage related to this action.

12. *State the city and state of your legal residence:* Kemmerer, WY
Your daytime phone number: N/A
Your age: 45 *Your years of schooling:* 16
Last four digits of your social security number: 2271

Affidavit in Support of Motion

I swear or affirm under penalty of perjury that, because of my poverty and incarcerated status, I cannot cause to be prepared 40 booklet-formatted copies of my petition (Rule 33). I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed: 

Date: 12-1-25

Samuel Joseph Barrett