

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Daniel Barletta — PETITIONER
(Your Name)

VS.

Superintendent Kevin McCarthy, — RESPONDENT(S)
Elmira Correctional Facility

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):

☒ 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.

Daniel Barletta
(Signature)

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

I, Daniel Barletta, 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	\$ 0/N/A	\$ 0	\$ 0/N/A
Self-employment	\$ 0	\$ 0/N/A	\$ 0	\$ 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	\$ 240	\$ N/A	\$ 100	\$ 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
Total monthly income:	\$ 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
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			\$
			\$
			\$

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
Savings	\$ 10	\$ 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

☐ Other real estate
Value

☐ Motor Vehicle #1
Year, make & model
Value

☐ Motor Vehicle #2
Year, make & model
Value

☒ Other assets
Description Typewriter
Value \$3

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

N/A
N/A

\$ 0
\$ 0
\$

\$ 0
\$ 0
\$

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		

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)	\$ 0	\$ 0/N/A
Are real estate taxes included? ☐ Yes ☒ No		
Is property insurance included? ☐ Yes ☒ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$ 0/N/A
Home maintenance (repairs and upkeep)	\$ 0	\$ 0/N/A
Food	\$ 120	\$ 0/N/A
Clothing	\$ 0	\$ 0/N/A
Laundry and dry-cleaning	\$ 0	\$ 0/N/A
Medical and dental expenses	\$ 0	\$ 0/N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ N/A
Life	\$ 0	\$ N/A
Health	\$ 0	\$ N/A
Motor Vehicle	\$ 0	\$ N/A
Other: _____	\$ 0	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ 0	\$ N/A
Installment payments		
Motor Vehicle	\$ 0	\$ N/A
Credit card(s)	\$ 0	\$ N/A
Department store(s)	\$ 0	\$ N/A
Other: _____	\$ 0	\$ N/A
Alimony, maintenance, and support paid to others	\$ 0	\$ N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ N/A
Other (specify): <u>stamps/tobacco</u>	\$ 120	\$ N/A
Total monthly expenses:	\$ 0	\$ 0 / 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 (see note)

If yes, how much? \$68,533.34 to date

If yes, state the attorney's name, address, and telephone number:

My parents have partially paid an attorney to work on my habeas petition and this appeal, I myself did not pay

Mark Mahoney
70 Niagara Street (716)853-3700
3rd Floor
Buffalo, New York 14202-3407

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.

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

Executed on: July 7, 2026


(Signature)

STATE OF NEW YORK - DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

ELMIRA C & RC

FACILITY

DEPOSIT RECEIPT

FUNDS RECEIVED: 05/14/26 RECEIPT # BT21959

INMATE NAME: BARLETTA DANIEL A DIN# 18A4826

CURRENT FACILITY: ELMIRA C & RC HOUSING LOC: 0G-08-16S

RECEIVED FROM: LINDA BARLETTA
ADDRESS:121 GWINNETT RD
MILFORD PA 18337

RECEIPT TYPE: 310 ELECTRONIC

AMOUNT RECEIVED: \$ 180.00

AMOUNT APPLIED TO ADVANCES/ENCUMBRANCES: \$ 0.00

AMOUNT DEPOSITED INTO SPENDABLE FUNDS: \$ 180.00

*ALL DEPOSITS ARE SUBJECT TO THE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION ENCUMBRANCE RULES IN ACCORDANCE WITH DIRECTIVE #2788, COLLECTION & REPAYMENT OF INMATE ADVANCES & OBLIGATIONS.

**THIS FORM HAS BEEN ELECTRONICALLY GENERATED.

STATE OF NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES
ELMIRA
INMATE STATEMENT FOR THE PERIOD 04/01/26 THRU 04/30/26

* NAME: BARLETTA DANIEL A DEPT ID: 18A4826 CELL LOC: 06-08-16S NYSID: 13469291Z *

FACILITY	DATE	TRANSACTION (COMMENTS)	TR-NUM	RECEIPT (+)	DISBURS (-)	COLLECTED AMT	STATEWIDE SPENDABLE	STATEWIDE ACCT BAL
		STARTING BALANCE AT ELMIRA					22.92	22.92
		BALANCE FORWARD				.00	22.92	22.92
ELMIRA	04/01/26	COPIES (LEGAL						
ELMIRA	04/02/26	PAYROLL RCPT	041826	1.13	.36	.00	22.56	22.56
ELMIRA	04/02/26	PAYROLL RCPT	423212	2.37		.00	23.69	23.69
ELMIRA	04/03/26	ELECTRONIC RECEIPT	BS48069	125.00		.00	26.06	26.06
ELMIRA	04/07/26	ELECTRONIC RECEIPT	BS55810	50.00		.00	151.06	151.06
ELMIRA	04/09/26	PAYROLL RCPT	041826	1.13		.00	201.06	201.06
ELMIRA	04/09/26	PAYROLL RCPT	423212	2.37		.00	202.19	202.19
ELMIRA	04/10/26	COMM BUY			123.97	.00	204.56	204.56
ELMIRA	04/15/26	ELECTRONIC RECEIPT	BS69705	160.00		.00	80.59	80.59
ELMIRA	04/16/26	PAYROLL RCPT	041826	1.13		.00	240.59	240.59
ELMIRA	04/16/26	PAYROLL RCPT	423212	2.37		.00	241.72	241.72
ELMIRA	04/23/26	ELECTRONIC RECEIPT	BS83502	175.00		.00	244.09	244.09
ELMIRA	04/23/26	PAYROLL RCPT	041826	1.13		.00	419.09	419.09
ELMIRA	04/23/26	PAYROLL RCPT	423212	2.37		.00	420.22	420.22
ELMIRA	04/24/26	COMM BUY			205.34	.00	422.59	422.59
ELMIRA	04/27/26	MEDIA PUR(LEGAL			50.00	.00	217.25	217.25
ELMIRA	04/27/26	ADJ (WRONG TRANS TYPE	531	1.44	1.44	.00	165.81	165.81
ELMIRA	04/27/26	COPIES (LEGAL				.00	167.25	167.25
ELMIRA	04/30/26	PAYROLL RCPT	041826	1.13		.00	165.81	165.81
ELMIRA	04/30/26	PAYROLL RCPT	423212	2.37		.00	166.94	166.94
		MONTHLY ENDING TOTALS		528.94	382.55	.00	169.31	169.31
		ENDING BALANCE AT ELMIRA					169.31	169.31

20% OF AVERAGE 6 MO SPENDABLE BALANCE 19.33 20% OF AVERAGE 6 MO DEPOSIT AMT 70.28

LAGGED PAYROLL, DAYS LAGGED - 15 AMOUNT LAGGED - 11.76
THIS AMOUNT WILL BE ADDED TO YOUR ACCOUNT UPON RELEASE ONLY

* ENCUMBRANCES ESTABLISHED AND PAID IN THE CURRENT MONTH.