

No. 26-5650

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
JUN 03 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Kevin Lee — PETITIONER
(Your Name)

VS.

State of Georgia et.al. — 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):

Superior Court of Coweta County, State of Georgia;

Supreme Court of Georgia

☐ 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.

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SEP - 8 2026
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SUPREME COURT, U.S.

(Signature)

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AUG - 7 2026
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SUPREME COURT, U.S.

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

I, Kevin Lee, 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	\$ N/a	\$ 0	\$ N/a
Self-employment	\$ 0	\$ N/a	\$ 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	\$ 40	\$ N/a	\$ 0	\$ 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
<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? \$ 0
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>N/A</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 none

☐ Other real estate
Value none

☒ Motor Vehicle #1
Year, make & model 2001 Toyota Sequoia
Value \$0 not running

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

☐ Other assets
Description none
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

none

\$ 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

none

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)

\$ 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

\$ N/A

Home maintenance (repairs and upkeep)

\$ 0

\$ N/A

Food

\$ 0

\$ N/A

Clothing

\$ 0

\$ N/A

Laundry and dry-cleaning

\$ 0

\$ N/A

Medical and dental expenses

\$ 0

\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>0</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Other: <u>none</u>	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>none</u>	\$ <u>0</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>0</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: <u>None</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): <u>none</u>	\$ <u>0</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>0</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

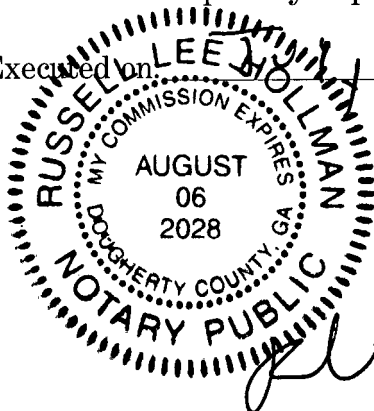
If yes, how much? _____

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

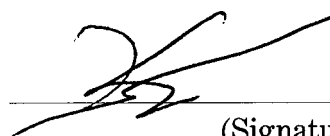
12. Provide any other information that will help explain why you cannot pay the costs of this case.

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

Executed on



30, 2026



(Signature)

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

KEVIN JAMES LEE

Petitioner

VS.

THE STATE OF GEORGIA

Respondent

AFFIDAVIT OF INDIGENCY

COMES NOW Petitioner under oath and pursuant to O.C.G.A.
§9-15-2(a)(1) and Rule 36.10. In support of this affidavit,
Petitioner shows the following:

1.

I am 60 years old. My highest grade completed in school
was 10th grade and I have not been to college.

2.

I am currently unemployed. I have been unemployed
approximately 115 months.

3.

I have no minor children.

4.

I was qualified for S.S.D.I. benefits of \$910.00 a month
in 2018.

5.

I have no monthly payments or expenses.

6.

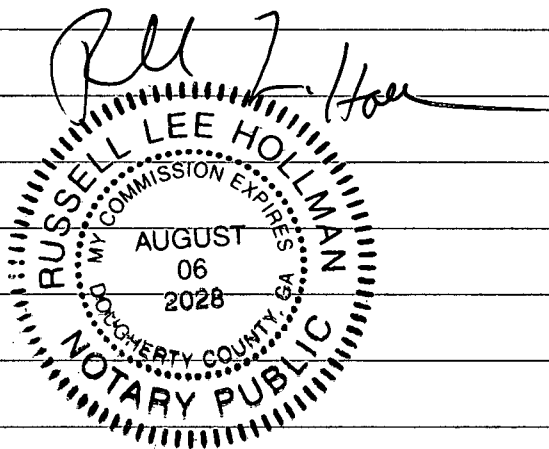
I have no savings. My only asset is a non-operational 2001 Toyota Sequoia, in which I mailed a signed bill of sale in 2018, but have no knowledge whether it was sold.

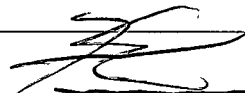
7.

I have no current debt.

WHEREFORE I am unable to pay the cost of filing and serving action and other court costs associated with this action, and I request this Court allow me to proceed in forma pauperis.

This the 26 day of August 2026




Petitioner, Pro Se

IN THE SUPERIOR COURT OF COWETA COUNTY
STATE OF GEORGIA

STATE OF GEORGIA

vs.

KEVIN JAMES LEE

]

]

]

CASE NO.: 2012-CR-407

FILED IN OFFICE
CLERK OF
SUPERIOR/JUVENILE
COURT
2012 MAR 28 PM 3:01
HARRIS SEWELL, CLERK
COWETA COUNTY, GA.

**CERTIFICATE OF DEFENDANT'S INDIGENCE AND NOTICE OF
APPOINTMENT OF APPELLATE COUNSEL**

COMES NOW Defendant Kevin James Lee, by and through his undersigned counsel, pursuant to Uniform Superior Court Rule 29, and files this Certificate of Defendant's Indigence and Notice of Appointment of Appellate Counsel, and requests that Defendant be allowed to proceed in *forma pauperis* on appeal. In support of this request, he shows as follows:

1.

Kevin James Lee is under conviction and sentence in the above-captioned felony case and has been determined by the Circuit Public Defender to be indigent and entitled to representation under the Indigent Defense Act of 2003. O.C.G.A. § 17-12-24 (a).

APPENDIX ~



2.

Due to a conflict of interest, Defendant is now being represented on appeal by the Office of the Appellate Defender of the Georgia Public Defender Council, under the authority of the Indigent Defense Act of 2003. See, O.C.G.A. § 17-12-22.

3.

As a result of his indigence, Defendant is unable to pay the fees, costs and expenses associated with this Appeal. Mr. Lee therefore requests that all of the fees, costs and expenses associated with this appeal be waived and that he be allowed to proceed *in forma pauperis* on appeal from the judgment of his criminal conviction and sentence.

Respectfully submitted, this 24th day of March, 2022.



Frances Kuo
Counsel for Kevin James Lee

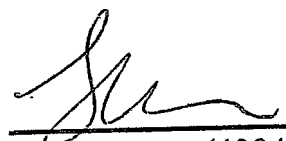
270 Washington Street S.W.
Suite 5198
Atlanta, GA 30334
(404) 795-2440
fkuo@gapubdef.org

CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the foregoing CERTIFICATE OF DEFENDANT'S INDIGENCE AND NOTICE OF APPOINTMENT OF APPELLATE COUNSEL upon counsel for the State, Matthew Swope, Assistant District Attorney, via United States mail and/or e-mail as follows:

Matthew Swope
Assistant District Attorney
Coweta County District Attorney's Office
72 Greenville Street
Newnan, GA 30263
mswope@pacga.org

This 24th day of March, 2022.



Frances Kuo (430440)

GPDC – Office of the Appellate Defender
270 Washington Street, N.W.
Suite 5198
Atlanta, GA 30334
(404) 795-2440 (o)