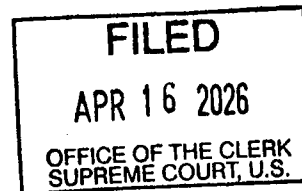


26-5792

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Tarence Nelson — PETITIONER
(Your Name)

VS.

Johnny Fitz, Worden 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):

Criminal Court of Shelby County, Tennessee
30th Judicial District at Memphis Division VIII

☐ 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.

John Z. M.
(Signature)

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

I, Tarence Nelson, 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>140.00</u>	\$ <u>0.0</u>	\$ <u>140.00</u>	\$ <u>0.0</u>
Self-employment	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Income from real property (such as rental income)	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Interest and dividends	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Gifts	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Alimony	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Child Support	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Disability (such as social security, insurance payments)	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Unemployment payments	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Public-assistance (such as welfare)	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Other (specify): <u>N/A</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
Total monthly income:	\$ <u>140.00</u>	\$ <u>0.0</u>	\$ <u>140.00</u>	\$ <u>0.0</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
West TN State Prison	480 Green Chapel	2013 - Current	\$ 140.00
			\$
			\$

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
N/A	N/A	N/A	\$ N/A
			\$
			\$

4. How much cash do you and your spouse have? \$ 2,100.00
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
<u>N/A</u>	\$ <u>0.0</u>	\$ <u>0.0</u>
<u> </u>	\$ <u>0.0</u>	\$ <u>0.0</u>
<u> </u>	\$ <u>0.0</u>	\$ <u>0.0</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>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </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>0.0</u>	\$ <u>0</u>
Are real estate taxes included? ☐ Yes ☒ No		
Is property insurance included? ☐ Yes ☒ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0.0</u>	\$ <u>0.0</u>
Home maintenance (repairs and upkeep)	\$ <u>0.0</u>	\$ <u>0.0</u>
Food	\$ <u>0.0</u>	\$ <u>0.0</u>
Clothing	\$ <u>0.0</u>	\$ <u>0.0</u>
Laundry and dry-cleaning	\$ <u>0.0</u>	\$ <u>0.0</u>
Medical and dental expenses	\$ <u>0.0</u>	\$ <u>0.0</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0.0	\$ 0.0
Recreation, entertainment, newspapers, magazines, etc.	\$ 0.0	\$ 0.0
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0.0	\$ 0.0
Life	\$ 0.0	\$ 0.0
Health	\$ 0.0	\$ 0.0
Motor Vehicle	\$ 0.0	\$ 0.0
Other: <u>N/A</u>	\$ 0.0	\$ 0.0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ 0.0	\$ 0.0
Installment payments		
Motor Vehicle	\$ 0.0	\$ 0.0
Credit card(s)	\$ 0.0	\$ 0.0
Department store(s)	\$ 0	\$ 0.0
Other: <u>Court of Criminal Appeals</u>	\$ 60.00	\$ 0.0
Alimony, maintenance, and support paid to others	\$ 0.0	\$ 0.0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0.0	\$ 0.0
Other (specify): <u>Colorado State University</u>	\$ 120.00	\$ 0.0
Total monthly expenses:	\$ 180.00	\$ 0.0

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? 0 / 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? 0 / 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 declare under penalty of perjury that the foregoing is true and correct.

Executed on: 7-6-26, 2026

Jan 2. The
(Signature)



State of Tennessee
DEPARTMENT OF CORRECTION
Division of Adult Institutions
West Tennessee State Penitentiary
P.O. Box 1150
Henning, TN 38041-1150
Telephone (901) 738-5044 Fax (901) 738-5947

PRISON TRUST FUND AFFIDAVIT

Tarence Nelson
Inmate Name

352541
TDOC Number

NOTICE TO PRISONER: a prisoner seeking to proceed IFP (In Forma Pauperis) shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

CERTIFICATE

(Incarcerated applicants only)

(To be completed by the institution of incarceration)

I certify that the applicant named herein has the sum of \$ 2401.00 on account to his credit at West Tennessee State Penitentiary. I further certify that the applicant has the securities to his credit, n/a. I further certify that during the past six months the applicant's average balance was \$ 368.02.

I, Michelle Wassen, am a State of Tennessee employee, who serves as the Inmate Trust Fund Custodian for prisoners at the West Tennessee State Penitentiary. By my signature below, I certify that the attached computer printout of the named prisoner is true and correct in designating his trust account activity for the past six months with the Department of Correction.

4/1/2026
Date

Michelle Wassen
Signature of Authorized Officer; Trust Fund Custodian

Trust Fund

348.53 +

407.35 +

331.24 +

307.16 +

319.55 +

494.27 +

Account 00352541

Nelson, Tarence

Status ACTV

Location WTSP

Transactions

Obligations

Organizations

Actual Site WTSP

Assigned Site WTSP

Current Balance

2,401.00

Pending Balance

2,208.10 *

2,208.10 ÷

6. =

368.02 *

Date	Seq No	Trans Type	Transaction Code	Transaction Amount	Trans Site	Current Amount	Pend Amount
02/26	1	D	POS	2.72	WTSP	2,401.00	
02/26	1	D	COM	93.01	WTSP	2,403.72	
02/26	1	D	OBI	25.00	WTSP	2,496.73	
02/26	1	D	INC	39.00	WTSP	2,521.73	
02/26	1	C	PAD	348.53	WTSP	2,560.73	
02/18/2026	1	D	OBI	716.00	WTSP	2,212.20	
02/17/2026	1	D	OBI	25.00	WTSP	2,928.20	
02/13/2026	1	C	COC	1.62	WTSP	2,953.20	
02/12/2026	2	C	PAD	407.35	WTSP	2,951.58	
02/12/2026	1	D	COM	113.97	WTSP	2,544.23	

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Account 00352541

Nelson, Tarence

Status ACTV

Location WTSP

Reset key fields

Transactions

Obligations

Organizations

Actual Site WTSP

Assigned Site WTSP

Current Balance 2,401.00

Refresh

Pending Balance

Enter

First

Trans Date	Seq No	Trans Type	Transaction Code	Transaction Amount	Trans Site	Current Amount	Pend Amount
<u>02/10/2026</u>	1	D	POS	9.62	WTSP	2,658.20	
<u>02/07/2026</u>	1	D	COM	25.00	WTSP	2,667.82	
<u>02/06/2026</u>	1	C	COC	8.52	WTSP	2,692.82	
<u>02/02/2026</u>	1	D	POS	2.72	WTSP	2,684.30	
<u>01/29/2026</u>	1	D	COM	119.46	WTSP	2,687.02	
<u>01/26/2026</u>	1	D	COM	25.00	WTSP	2,806.48	
<u>01/21/2026</u>	1	D	POS	7.07	WTSP	2,831.48	
<u>01/15/2026</u>	2	D	OBI	25.00	WTSP	2,838.55	
<u>01/15/2026</u>	1	D	COM	54.50	WTSP	2,863.55	
<u>01/14/2026</u>	1	C	PAD	331.24	WTSP	2,918.05	

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Account 00352541

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Refresh

Actual Site WTSP

Assigned Site WTSP

Current Balance 2,401.00

Pending Balance

Enter

First

Trans Date	Seq No	Trans Type	Transaction Code	Transaction Amount	Trans Site	Current Amount	Pend Amount
<u>01/12/2026</u>	1	D	COM	25.00	WTSP	2,586.81	
<u>01/09/2026</u>	1	D	COM	20.00	WTSP	2,611.81	
<u>12/29/2025</u>	1	D	COM	80.57	WTSP	2,631.81	
<u>12/26/2025</u>	1	D	POS	11.05	WTSP	2,712.38	
<u>12/18/2025</u>	1	D	COM	28.00	WTSP	2,723.43	
<u>12/15/2025</u>	1	D	OBI	25.00	WTSP	2,751.43	
<u>12/12/2025</u>	2	D	COP	26.55	WTSP	2,776.43	
<u>12/12/2025</u>	1	D	COM	18.87	WTSP	2,802.98	
<u>12/11/2025</u>	1	C	PAD	307.16	WTSP	2,821.85	
<u>12/10/2025</u>	1	D	POS	17.74	WTSP	2,514.69	

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Account 00352541

Nelson, Tarence

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Reset key fields

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Actual Site WTSP

Assigned Site WTSP

Current Balance 2,401.00

Refresh

Pending Balance

Enter

First

Trans Date	Seq No	Trans Type	Transaction Code	Transaction Amount	Trans Site	Current Amount	Pend Amount
<u>12/08/2025</u>	1	D	COM	20.00	WTSP	2,532.43	
<u>12/05/2025</u>	1	D	COM	26.36	WTSP	2,552.43	
<u>11/26/2025</u>	1	D	INC	125.00	WTSP	2,578.79	
<u>11/21/2025</u>	1	D	COM	111.21	WTSP	2,703.79	
<u>11/14/2025</u>	1	D	COM	108.12	WTSP	2,815.00	
<u>11/12/2025</u>	1	D	OBI	25.00	WTSP	2,923.12	
<u>11/08/2025</u>	1	D	COM	20.00	WTSP	2,948.12	
<u>11/06/2025</u>	1	C	PAD	319.55	WTSP	2,968.12	
<u>11/02/2025</u>	1	D	COM	20.00	WTSP	2,648.57	
<u>10/31/2025</u>	1	D	COM	75.50	WTSP	2,668.57	

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Assigned Site WTSP

Current Balance 2,401.00

Refresh

Pending Balance

Enter

First

Trans Date	Seq No	Trans Type	Transaction Code	Transaction Amount	Trans Site	Current Amount	Pend Amount
<u>10/28/2025</u>	1	D	COM	20.00	WTSP	2,744.07	
<u>10/21/2025</u>	1	D	COM	20.00	WTSP	2,764.07	
<u>10/20/2025</u>	1	D	OBI	25.00	WTSP	2,784.07	
<u>10/17/2025</u>	1	D	COM	123.69	WTSP	2,809.07	
<u>10/16/2025</u>	1	D	INC	36.00	WTSP	2,932.76	
<u>10/14/2025</u>	2	D	COM	20.00	WTSP	2,968.76	
<u>10/14/2025</u>	1	C	PAD	494.27	WTSP	2,988.76	
<u>09/27/2025</u>	1	D	COM	25.00	WTSP	2,494.49	
<u>09/26/2025</u>	1	D	COM	13.91	WTSP	2,519.49	
<u>09/22/2025</u>	2	C	COC	13.87	WTSP	2,533.40	

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