

Plaintiff's Name: KAYSAM KENT SMITH  
REG.No: 08076-097  
Address: P.O. Box 7001/  
Taft, California 93268

**FILED**

MAR - 1 2010

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY [Signature]  
DEPUTY CLERK

UNITED STATES DISTRICT COURT

**KAYSAM KENT SMITH** )  
 )  
Plaintiff/Petitioner, )  
vs. )  
**AMTRAK, USA.** )  
 )  
Defendants/Respondent. )

APPLICATION TO PROCEED  
IN FORMA PAUPERIS  
BY A PRISONER

CASE NUMBER:

1:10-CV-00373 DWW DLB

I, Kaysam Kent Smith, declare that I am the plaintiff/respondent in the above-entitled proceeding; that, in support of my request to proceed without prepayment of fees under 28 U.S.C. section 1915, I declare that I am unable to pay the fees for these proceedings or give security therefor and that I am entitled to the relief sought in the complaint.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated?  Yes  No (If "no" DO NOT USE THIS FORM)

If "yes" state the place of your incarceration. Taft Correctional Institution

Smith v. Amtrak Railways, U.S.A.

Doc. 4 Att. 1

**Have the institution fill out the Certificate portion of this application and attach a certified copy of your prison trust account statement showing transactions for the past six months.**

2. Are you currently employed (includes prison employment)?  Yes  No

a. If the answer is "yes" state the amount of your pay. \$15.00 per month

b. If the answer is "no" state the date of your last employment, the amount of your take-home salary or wages and pay period, and the name and address of your last employer. N/A

3. Have you received any money from the following sources over the last twelve months?

a. Business, profession, or other self-employment:  Yes  No

b. Rent payments, interest or dividends:  Yes  No

c. Pensions, annuities or life insurance payments:  Yes  No

- d. Disability or workers compensation payments:     Yes     No
- e.. Gifts or inheritances:     Yes     No
- f. Any other sources:     Yes     No

If the answer to any of the above is "yes," describe by that item each source of money. Also state the amount received and what you expect you will continue to receive. Please attach an additional sheet if necessary.    N/A

4. Do you have cash (includes balance of checking or savings accounts)?     Yes     No

If "yes" state the total amount:              N/A          

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property?     Yes     No

If "yes" describe the property and state its value:              N/A          

6. Do you have any other assets?     Yes     No

If "yes," list the asset(s) and state the value of each asset listed:              N/A          

7. List all persons dependent on you for support, stating your relationship to each person listed and how much you contribute to their support. Due of being incarcerated and in poverty, I am unable to support any of my family members or even myself.

I hereby authorize the agency having custody of me to collect from my trust account and forward to the Clerk of the United States District Court payments in accordance with 28 U.S.C. section 1915(b)(2).

2-17-2010  
DATE

*Suzanne K. Smith*  
SIGNATURE OF APPLICANT

**CERTIFICATE**

(To be completed by the institution of incarceration)

I certify that the applicant named herein has the sum of \$ 58,922 on account to his/her credit at TAFT CORRECTIONAL INST. (name of institution). I further certify that during the past six months, the applicant's average monthly balance was \$ 198.72. I further certify that during the past six months, the average of monthly deposits to the applicant's account was \$ 79.06.

(Please attach a certified copy of the applicant's trust account statement showing transactions for the past six months).

2/22/10  
DATE

  
SIGNATURE OF AUTHORIZED OFFICER

TAFIT CORRECTIONAL INST.  
 Individual Account Report for the General Account

Prsn. Number	Last Name	First Name	MI	DOB	Cur Balance
08076-097	SMITH	KAYSAM	//		58.92
Location	Classification	Intake Date	Expected Release		
A2D	A CLASS	08/25/2008	//		
Date	Deposit	Comment	Withdrawal	Category	Calc Bal
05/13/2009		Canteen Receipt No. 35695	22.44	Commissary	1,002.18
05/14/2009		Canteen Receipt No. 35767	64.90	Commissary	937.28
05/19/2009		Canteen Receipt No. 36744	69.42	Commissary	867.86
05/29/2009		Canteen Receipt No. 38082	57.38	Commissary	810.48
06/04/2009		Canteen Receipt No. 39035	55.32	Commissary	755.16
06/08/2009		Canteen Receipt No. 39618	7.30	Commissary	747.86
06/08/2009	15.12	Canteen Receipt No. 40286	27.25	Commissary	720.61
06/10/2009		Canteen Receipt No. 32046	5.70	Commissary	730.03
06/15/2009		Canteen Receipt No. 41347	22.48	Commissary	707.55
06/16/2009		Canteen Receipt No. 41347	10.00	Commissary	697.55
06/18/2009		Canteen Receipt No. 32515		Commissary	697.55
06/19/2009	120.00	A FREDERICK		MONEY ORDER	817.55
06/22/2009		Canteen Receipt No. 32885	12.50	Commissary	805.05
07/02/2009		Canteen Receipt No. 33841	20.00	Commissary	785.05
07/02/2009		Canteen Receipt No. 43561	62.65	Commissary	722.40
07/02/2009		Canteen Receipt No. 43563	5.58	Commissary	716.82
07/02/2009		Canteen Receipt No. 43568	2.79	Commissary	714.03
07/02/2009		Canteen Receipt No. 43571	35.64	Commissary	678.39
07/08/2009		Canteen Receipt No. 34529	27.03	Commissary	651.36
07/13/2009	15.84	Canteen Receipt No. 35491	19.35	Commissary	667.20
07/14/2009		Canteen Rt Receipt No. 35492		Commissary Credit	647.85
07/14/2009	1.35	Canteen Receipt No. 35493	1.03	Commissary	649.20
07/14/2009		Canteen Receipt No. 36504	6.29	Commissary	648.17
07/20/2009		Canteen Receipt No. 37441	56.24	Commissary	641.88
07/24/2009		Canteen Receipt No. 38161	17.40	Commissary	641.88
08/03/2009		Canteen Receipt No. 38742	6.85	Commissary	585.64
08/05/2009		Canteen Receipt No. 39080	54.01	Commissary	568.24
08/10/2009	15.84	Canteen Receipt No. 40068	16.64	Commissary	561.39
08/11/2009		Canteen Receipt No. 50378	5.35	Commissary	507.38
08/21/2009		Canteen Receipt No. 43434	33.51	Commissary	523.22
09/01/2009		Canteen Receipt No. 44199	59.99	Commissary	506.58
09/08/2009		Canteen Receipt No. 44199		Commissary	501.23
09/14/2009	40.00	D SMITH		MONEY ORDER	467.72
					407.73
					447.73

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A2D	AClass	08/25/2008	//		
Date	Deposit	Comment	Withdrawal	Category	Calc Bal
09/14/2009	15.12	Canteen Recpt No. 52806	20.00	INMATE PAYROLL	462.85
09/15/2009		Canteen Recpt No. 53426	27.75	Commissary	442.85
09/18/2009		Canteen Recpt No. 46930	28.73	Commissary	415.10
09/24/2009		Canteen Recpt No. 47462	10.49	Commissary	386.37
09/28/2009		Canteen Recpt No. 47863	15.95	Commissary	375.88
09/30/2009		Canteen Recpt No. 55521	19.37	Commissary	359.93
10/05/2009		Canteen Recpt No. 55717	21.90	Commissary	340.56
10/06/2009		Canteen Recpt No. 49067	15.00	Commissary	318.66
10/08/2009					303.66
10/09/2009	16.56	Canteen Recpt No. 50543	41.99	INMATE PAYROLL	320.22
10/16/2009		Canteen Recpt No. 51548	14.02	Commissary	278.23
10/22/2009		Canteen Recpt No. 52401	30.33	Commissary	264.21
10/28/2009		Canteen Recpt No. 52747	17.53	Commissary	233.88
11/02/2009		Canteen Recpt No. 53141	91.29	Commissary	216.35
11/03/2009		Canteen Recpt No. 53975	20.98	Commissary	125.06
11/09/2009	15.84	Canteen Recpt No. 60631	32.79	INMATE PAYROLL	104.08
11/16/2009		Canteen Recpt No. 55678	20.00	Commissary	119.92
11/19/2009		Canteen Recpt No. 56256	45.28	Commissary	87.13
11/24/2009					67.13
11/25/2009	108.00	E SMITH		MONEY ORDER	21.85
11/30/2009		Canteen Recpt No. 62016	6.85	Commissary	129.85
11/30/2009		Canteen Recpt No. 56960	49.75	Commissary	123.00
12/02/2009		Canteen Recpt No. 57299	35.94	Commissary	73.25
12/03/2009	25.00	M SMITH		MONEY ORDER	37.31
12/03/2009	25.00	M SMITH		MONEY ORDER	37.31
12/08/2009		Canteen Recpt No. 58223	54.67	Commissary	62.31
12/11/2009	20.00	D SMITH		MONEY ORDER	87.31
12/14/2009		Canteen Recpt No. 58924	11.10	Commissary	32.64
12/14/2009	21.42			INMATE PAYROLL	52.64
12/24/2009		Canteen Recpt No. 60763	25.70	Commissary	41.54
12/30/2009		Canteen Recpt No. 65609	23.49	Commissary	62.96
01/05/2010		Canteen Recpt No. 66153	8.95	Commissary	37.26
01/06/2010	50.00			Escrow Transfer	13.77
					4.82
					54.82

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08076-097	SMITH	KAYSAM	//		58.92	
Location	Classification	Intake Date	Expected Release	Withdrawal	Category	Calc Bal
A2D	A CLASS	08/25/2008	//			
Date	Deposit	Comment	Withdrawal	Category	Calc Bal	
01/11/2010	22.44	Canteen Receipt No. 66951	10.00	INMATE PAYROLL	77.26	
01/12/2010		M SMITH		Commissary	67.26	
01/12/2010	40.00	Canteen Receipt No. 63948	17.65	MONEY ORDER	107.26	
01/15/2010				Commissary	89.61	
01/20/2010	4.95	Canteen Receipt No. 64559	16.20	Escrow Transfer	94.56	
01/21/2010				Commissary	78.36	
01/21/2010	1.70	Canteen Rt Receipt No. 64561		Commissary Credit	80.06	
01/21/2010				Commissary	78.11	
01/22/2010	70.00	Canteen Receipt No. 64562	1.95	Commissary	148.11	
01/27/2010				JPay credit	133.21	
02/01/2010		Canteen Receipt No. 65341	14.90	Commissary	114.16	
02/05/2010			19.05	Commissary	104.16	
02/08/2010		Canteen Receipt No. 66762	10.00	Commissary	94.28	
02/08/2010			9.88	Commissary	116.72	
02/12/2010	22.44	Canteen Receipt No. 67076		INMATE PAYROLL	74.20	
02/18/2010			42.52	Commissary	58.92	
		Canteen Receipt No. 68128	15.28	Commissary		
		Canteen Receipt No. 68762		Commissary		

**"THE WITHIN INSTRUMENT IS A CORRECT  
 COPY OF THE INMATE'S TRUST ACCOUNT  
 STATEMENT MAINTAINED BY THIS OFFICE  
 ATTEST THE MANAGEMENT &  
 TRAINING CORPORATION"**

BY  DATE 2/22/10  
 INMATE TRUST OFFICER.