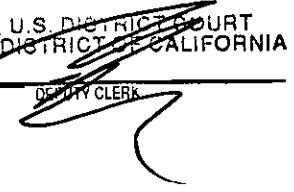


FILED

AUG 26 2010

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK



Name: Jerome A. Porter-Bey
CDC No: 18044-016
Address: U.S.P. Lewisburg, P.O. Box-1000
Lewisburg, Pa. 17837

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

Jerome A. Porter-Bey #18044-016
Plaintiff,

vs.

Defendants.
Harley G. Lappin, et. al

CASE NUMBER:

1:10-cv-1540-GSA-PC

APPLICATION TO PROCEED
IN FORMA PAUPERIS
BY A PRISONER

RECEIVED

AUG 26 2010

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

I, Jerome A. Porter-Bey, declare that I am the plaintiff 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.

(PC) Porter-Bey v. Lappin et al

Doc. 4 Att. 1

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)

State the place of your incarceration. U.S.P. Lewisburg, Pa. 17837

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

a. If the answer is "yes" state the amount of your pay. _____

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.

Don't Remember, so long.

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 (attach an additional sheet if necessary).

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

If "yes" state the total amount: _____

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: _____

6. Do you have any other assets? Yes No

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

7. List all persons dependent on you for support, stating your relationship to each person listed and how much you contribute to their support.

ω/4

IMPORTANT: **This form must be dated and signed below in order for the court to consider your application.**

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).

8/12/10

DATE

Jerome A. Porter-Bey #18044-016
SIGNATURE OF APPLICANT

NOTE: Within sixty days from the date of this application you must forward to the court a certified copy of your prison trust account statement showing transactions for the past six months.

(Revised 01/2008)

United States District Court

The Eastern

DISTRICT OF California

Jerome A. Porter-Bey
v. PlaintiffAPPLICATION TO PROCEED IN
FORMA PAUPERIS, SUPPORTING
DOCUMENTATION AND ORDER

CASE NUMBER:

1. Jerome A. Porter-Bey #18044-016, declare that I am the (check appropriate box)

petitioner/plaintiff movant (filing 28 U.S.C. 2255 motion)
 respondent/defendant _____ other

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, cost or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or give security therefor; that I believe I am entitled to relief. The nature of my action, defense, or other proceeding or the issues I intend to present on appeal are briefly stated as follows:

In further support of this application, I answer the following questions.

1. Are you presently employed? Yes No

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

Don't Remember.

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or other form of self-employment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b. Rent payments, interest or dividends?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
c. Pensions, annuities or life insurance payments?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
d. Gifts or inheritances?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
e. Any other sources?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months.

3. Do you own any cash, or do you have money in checking or savings accounts?

Yes No (Include any funds in prison accounts.)

If the answer is "yes," state the total value of the items owned.

4. Do you own or have any interest in any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?

Yes No

If the answer is "yes," describe the property and state its approximate value.

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

N/A

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

Executed on 8/12/10
(Date)

Jerome A. Porter-Bey #18044-016
Signature of Applicant

CERTIFICATE
(Prisoner Accounts Only)

I certify that the applicant named herein has the sum of \$ 0.00 on account to his credit at the U.S. Penitentiary Lewisburg, Pa institution where he is confined. I further certify that the applicant likewise has the following securities to his credit according to the records of said institution: N/A

I further certify that during the last six months the applicant's average balance was \$.81

Cubeta
C. Watts, Inmate Accounts

Authorized Officer of Institution

ORDER OF COURT

The application is hereby denied

The application is hereby granted. Let the applicant proceed without prepayment of cost or fees or the necessity of giving security therefor.

United States Judge

Date

United States Judge
or Magistrate

Date: 08/17/2010
Time: 10:27:28 am

Federal Bureau of Prisons
TRUFACS

Inmate Statement

Sensitive But Unclassified

Facility: LEW

Start Date: 02/01/2010
End Date: 08/17/2010
Inmate Reg#: 18044016
Account Status: All
Institution: All

Inmate Reg#: 18044016
 8
 Inmate Name: PORTER, JEROME A
 Current Site Name: Lewisburg USP
 Housing Unit: LEW-I-A

Living Quarters: I03-316U
 Arrived From: OKL
 Transferred To:
 Account Creation Date: 4/23/2002

Page 6 of 8

Inmate Statement
 Sensitive But Unclassified

General Information								
Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
LEW	04/23/2010 09:47:49 AM	70156701			Lockbox - CD	\$20.00		\$20.88
LEW	04/23/2010 09:47:49 AM	JLEWD133 -			Debt Encumbrance		(\$1.76)	
		746						
LEW	04/23/2010 09:47:49 AM	JLEWD208 -			Debt Encumbrance		(\$4.40)	
		747						
LEW	04/23/2010 09:47:49 AM	JLEWD245 -			Debt Encumbrance		(\$6.16)	
		748						
LEW	04/23/2010 09:00:13 PM	TFN0423			Phone Withdrawal			\$18.88
LEW	04/24/2010 12:10:16 AM	JLEWD245 -			Debt Encumbrance -			
		748			Released			
LEW	04/24/2010 12:10:16 AM	JLEWD208 -			Debt Encumbrance -			
		747			Released			
LEW	04/24/2010 12:10:16 AM	JLEWD133 -			Debt Encumbrance -			
		746			Released			
LEW	04/24/2010 12:10:16 AM	JLEWD133 -			Debt Encumbrance -			
		289			Released			
LEW	04/24/2010 12:10:16 AM	JLEWD133			Postage	(\$2.64)		
LEW	04/24/2010 12:10:16 AM	JLEWD208			Postage	(\$4.40)		
LEW	04/24/2010 12:10:16 AM	JLEWD245			Postage	(\$6.16)		
LEW	05/05/2010 08:48:43 AM	14			Sales	(\$4.60)		
LEW	05/05/2010 06:18:23 PM	TFN0505			Phone Withdrawal	(\$1.00)		
LEW	05/18/2010 11:12:28 AM	1			Sales	\$0.00		
LEW	06/01/2010 11:49:31 AM	22			Sales	\$0.00		
LEW	06/14/2010 11:49:03 AM	4			Sales	\$0.08		
LEW	07/08/2010 01:28:54 PM	JLEWD394 -			Debt Encumbrance	(\$0.08)		
		1038						
Total Transactions:		18	Totals:			(\$0.80)		\$0.80

Inmate Reg#: 18044016
Inmate Name: PORTER, JEROME A
Current Site Name: Lewisburg USP
Housing Unit: LEW-I-A

Living Quarters: 103-316U
Arrived From: OKL
Transferred To:
Account Creation Date: 4/23/2002

Inmate Statement
Sensitive But Unclassified

General Information

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
LEW	\$0.00	\$0.00	\$0.08	\$0.00	\$0.00	\$0.00	\$0.00	\$0.08
Totals:	\$0.00	\$0.00	\$0.08	\$0.00	\$0.00	\$0.00	\$0.00	\$0.08

Current Balances

National 6 Months Deposits	National 6 Months Withdrawals	National 6 Months Avg Daily Balance	Local Max. Balance - Prev. 30 Days	Average Balance - Prev. 30 Days	Restriction Start Date	Commissary Restriction End Date
\$20.00	\$20.80	\$0.81	\$0.08	\$0.08	N/A	N/A

Other Balances

Date: 08/17/2010
Time: 10:27:28 am

Federal Bureau of Prisons
TRUFACS

Inmate Statement

Sensitive But Unclassified

Facility: LEW

Start Date: 02/01/2010
End Date: 08/17/2010
Inmate Reg#: 18044016
Account Status: All
Institution: All