

FILED

UNITED STATES DISTRICT COURT

MAY 12 2014

for the
EASTERN District of CALIFORNIA

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

BILLY JOE SPENCER)
Plaintiff)
v.)
R. OLAES (Captain) et. al)
Defendant)

Civil Action No.

1:14-cv-00707 MJS (PC)

APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS
(Short Form)

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested.

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

1. *If incarcerated.* I am being held at: North Fork Correctional Facility

If employed there, or have an account in the institution, I have attached to this document a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in my name. I am also submitting a similar statement from any other institution where I was incarcerated during the last six months.

2. *If not incarcerated.* If I am employed, my employer's name and address are:

My gross pay or wages are: \$ 11.00, and my take-home pay or wages are: \$ 11.00 per
(specify pay period) Monthly

3. *Other Income.* In the past 12 months, I have received income from the following sources (check all that apply):

- (a) Business, profession, or other self-employment Yes No
- (b) Rent payments, interest, or dividends Yes No
- (c) Pension, annuity, or life insurance payments Yes No
- (d) Disability, or worker's compensation payments Yes No
- (e) Gifts, or inheritances Yes No
- (f) Any other sources Yes No

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

- (1). Ada Spencer, (Mother), 1 Deposit Totaling \$ 200.00... Future Deposits, unknown...
- (2). Lashawn Johnson, (Step Daughter), 1 Deposit Totaling \$ 100.00 Future Deposits, unknown...
- (3). Elizabeth A. Williams, (Friend), 6 Deposits Totaling \$ 1100.00 Future Deposits, none...



4. Amount of money that I have in cash or in a checking or savings account: \$ 2.94

5. Any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value that I own, including any item of value held in someone else's name (describe the property and its approximate value): **I, do not own any of the above mentioned items of property...**

6. Any housing, transportation, utilities, or loan payments, or other regular monthly expenses (describe and provide the amount of the monthly expense): **None...**

7. Names (or, if under 18, initials only) of all persons who are dependent on me for support, my relationship with each person, and how much I contribute to their support: **No one is dependant on Me...**

8. Any debts or financial obligations (describe the amounts owed and to whom they are payable): **Student Loan...**

Declaration: I declare under penalty of perjury that the above information is true and understand that a false statement may result in a dismissal of my claims.

Date: May 7, 2014

Billy Joe Spencer
Applicant's signature

Billy Joe Spencer
Printed name

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* R. OLAES (Captain)
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* 24863 West Jayne Avenue (PVSP)
P.O. Box 8500 Coalinga, Ca 93210 on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)* _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

CERTIFICATE OF AUTHORIZED OFFICER

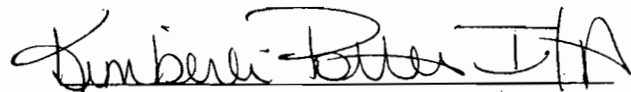
I HEREBY CERTIFY THAT THE PRISONER HEREIN

Name: Billy Spencer DOC # G-48975 HAS CREDIT IN THE SUM OF \$ 2.94
ON HIS ACCOUNT AT NORTH FORK CORRECTIONAL FACILITY, SAYRE, OKLAHOMA
WHERE PRISONER IS CONFINED.

I FURTHER CERTIFY THAT DURING THE PAST SIX MONTHS THE PRISONER'S
AVERAGE MONTHLY WAGE WAS \$ 1489.84 MINUS 55% RESTITUTION.

A COPY OF THE PRISONER'S TRUST ACCOUNT STATEMENT FOR THE PAST SIX
MONTHS IS HERETO ATTACHED.

DATE: 4-29 ²⁰¹⁴ ~~2013~~



Signature of authorized officer
North Fork Correctional Facility
1605 East Main Street
Sayre, Oklahoma 73662

ACCOUNT STATEMENT from 10/2/2013 to 4/29/2014

SPENCER, BILLY

Agency #: G48975
CCA #: 1951762
HOUSING: H/C/229/U

Account 1:

\$	2.94
\$	0.00
\$	0.00

Escrow Account:
Cost Recovery Owed:
Current Balance Information

Account 1 Transactions

Transaction Date	From	Transaction Code	Amount	Balance	Note
BALANCE AT BEGINNING OF DATE RANGE -				0.00	
10/15/2013		FT Deposit	25.08	25.08	REDRK
10/18/2013	COMMISSARY PURCHASE	CO Withdrawal	-24.82	0.26	COMMISSARY SUMMARY POSTING
11/05/2013		WU Deposit	200.00	200.26	ELIZABETH ANN WILLIAMS
@ 11/04/2013					
11/08/2013	COMMISSARY PURCHASE	CO Withdrawal	-43.91	156.35	COMMISSARY SUMMARY POSTING
11/11/2013	FOOD SALE	FS Withdrawal	-9.00	147.35	FOOD SALE HC 1
11/11/2013	FOOD SALE	FS Withdrawal	-8.00	139.35	FOOD SALE HC 2
11/11/2013	FOOD SALE	FS Withdrawal	-6.00	133.35	FOOD SALE HC 3
11/14/2013	COMMISSARY REVERSAL	CRV Withdrawal	43.91	177.26	COMMISSARY SUMMARY REVERSAL
11/19/2013		FT Deposit	2.00	179.26	REDRK
11/22/2013	COMMISSARY PURCHASE	CO Withdrawal	-67.11	112.15	COMMISSARY SUMMARY POSTING
11/26/2013	COMMISSARY PURCHASE	CO Withdrawal	-75.34	36.81	COMMISSARY SUMMARY POSTING
12/03/2013	COMMISSARY REVERSAL	CRV Withdrawal	4.39	41.20	COMMISSARY SUMMARY REVERSAL
12/03/2013	COMMISSARY PURCHASE	CO Withdrawal	-3.95	37.25	COMMISSARY SUMMARY POSTING
12/06/2013	COMMISSARY PURCHASE	CO Withdrawal	-29.60	7.65	COMMISSARY SUMMARY POSTING
12/20/2013	COMMISSARY PURCHASE	CO Withdrawal	-6.10	1.55	COMMISSARY SUMMARY POSTING
12/30/2013		WU Deposit	200.00	201.55	ELIZABETH A WILLIAMS
@ 12/28/2013					
01/09/2014	JOB PAY - CALIFORNIA	JY Deposit	10.40	211.95	DEC WAGES
@ 01/08/2014					
01/10/2014	COMMISSARY PURCHASE	CO Withdrawal	-74.48	137.47	COMMISSARY SUMMARY POSTING

NORTH FORK CORRECTIONAL FACILITY

Print Job: 01/12/14
 Post: 01/12/14

Case 1:14-cv-00707-WAS Document 2 Filed 05/12/14 Page 6 of 8

01/17/2014	COMMISSARY PURCHASE	CO	Withdrawal	-74.87	62.60	COMMISSARY SUMMARY POSTING
01/21/2014		WU	Deposit	100.00	162.60	ELIZABETH A WILLIAMS
@ 01/18/2014						
01/24/2014	COMMISSARY PURCHASE	CO	Withdrawal	-75.04	87.56	COMMISSARY SUMMARY POSTING
01/24/2014	MEALS	M2	Withdrawal	-33.00	54.56	MUSLIM FEAST
01/29/2014		CE	Withdrawal	-0.40	54.16	COPIES
01/30/2014		WU	Deposit	200.00	254.16	ELIZABETH A WILLIAMS
@ 01/29/2014						
01/31/2014	COMMISSARY PURCHASE	CO	Withdrawal	-55.12	199.04	COMMISSARY SUMMARY POSTING
02/07/2014	COMMISSARY PURCHASE	CO	Withdrawal	-91.87	107.17	COMMISSARY SUMMARY POSTING
02/10/2014		WU	Deposit	200.00	307.17	ADA SPENCER
@ 02/07/2014						
02/13/2014	JOB PAY - CALIFORNIA	JY	Deposit	9.88	317.05	JAN WAGES
@ 02/11/2014						
02/12/2014		CE	Withdrawal	-8.20	308.85	COPIES
02/14/2014	COMMISSARY PURCHASE	CO	Withdrawal	-87.83	221.02	COMMISSARY SUMMARY POSTING
02/17/2014		PO	Withdrawal	-8.98	212.04	POSTAGE
02/21/2014	COMMISSARY PURCHASE	CO	Withdrawal	-97.11	114.93	COMMISSARY SUMMARY POSTING
02/21/2014	COMMISSARY PURCHASE	CO	Withdrawal	-97.11	17.82	COMMISSARY SUMMARY POSTING
02/21/2014	COMMISSARY REVERSAL	CRV	Withdrawal	97.11	114.93	COMMISSARY SUMMARY REVERSAL
02/26/2014		WU	Deposit	200.00	314.93	ELIZABETH A WILLIAMS
@ 02/25/2014						
02/26/2014	COMMISSARY REVERSAL	CRV	Withdrawal	2.42	317.35	COMMISSARY SUMMARY REVERSAL
02/28/2014	COMMISSARY PURCHASE	CO	Withdrawal	-103.23	214.12	COMMISSARY SUMMARY POSTING
03/04/2014		WU	Deposit	100.00	314.12	LASHAWN M JOHNSON
@ 03/01/2014						
03/07/2014	COMMISSARY PURCHASE	CO	Withdrawal	-86.78	227.34	COMMISSARY SUMMARY POSTING
03/10/2014		WU	Deposit	200.00	427.34	ELIZABETH A WILLIAMS
@ 03/09/2014						
03/13/2014	JOB PAY - CALIFORNIA	JY	Deposit	11.44	438.78	FEB WAGES
@ 03/12/2014						
03/14/2014	COMMISSARY PURCHASE	CO	Withdrawal	-93.20	345.58	COMMISSARY SUMMARY POSTING
03/20/2014	COMMISSARY PURCHASE	CO	Withdrawal	-86.42	259.16	COMMISSARY SUMMARY POSTING
03/21/2014	COMMISSARY REVERSAL	CRV	Withdrawal	5.33	264.49	COMMISSARY SUMMARY REVERSAL
03/27/2014	COMMISSARY PURCHASE	CO	Withdrawal	-85.54	178.95	COMMISSARY SUMMARY POSTING
04/02/2014		PO	Withdrawal	-5.70	173.25	POSTAGE

NORTH FORK CORRECTIONAL FACILITY

Print Date: 04/29/2014
Print Time: 8:32:35 AM

ACCOUNT STATEMENT 10/2/2013 to 4/29/2014 Page 7 of 8
Case 1:14-cv-00703-MAS Document 2 Filed 06/12/14

04/03/2014	COMMISSARY PURCHASE	CO	Withdrawal	-89.11	84.14	COMMISSARY SUMMARY POSTING
04/10/2014	JOB PAY - CALIFORNIA	JY	Deposit	1.04	85.18	MARCH WAGES
@ 04/09/2014						
04/11/2014	COMMISSARY PURCHASE	CO	Withdrawal	-73.68	11.50	COMMISSARY SUMMARY POSTING
04/17/2014	COMMISSARY PURCHASE	CO	Withdrawal	-10.54	0.96	COMMISSARY SUMMARY POSTING
04/20/2014	COMMISSARY REVERSAL	CRV	Withdrawal	1.98	2.94	COMMISSARY SUMMARY REVERSA
SUMMARY OF TRANSACTIONS				2.94		
					2.94	Ending Balance

NORTH FORK CORRECTIONAL FACILITY

Print Date: 4/29/2014
Print Time: 8:37:33AM

Case 1:14-cv-00767-MJS Document 2 Filed 05/12/14 Page 8 of 8
ACCOUNT STATEMENT FROM 10/2/2013 TO 4/29/2014

INMATE COUNT:	1		
TOTAL DEPOSITS:	1,459.84	AVERAGE DEPOSITS:	1,459.84
TOTAL WDRAWS:	1,456.90	AVERAGE WDRAWS:	1,456.90