

FILED**FILED**

MAR 10 2015

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RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSEUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIARICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSEWESLEY KESSLER
AN2328

Plaintiff,

CASE NO. _____

vs.

DEPARTMENT OF
CORRECTIONS
D.V.I.

Defendant.

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

I, WESLEY KESSLER, declare under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

IN SUPPORT OF THIS APPLICATION, I PROVIDE THE FOLLOWING INFORMATION:

1. Are you presently employed? YES ☐ NO ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: 0 Net: 0

Employer (name and address): _____

If the answer is "no," state the date of last employment and the amount of the gross and net salary and wages per month which you received. (If you are imprisoned, specify the last place of employment prior to imprisonment.)

WALKER CONSTRUCTION LAST DATE OF EMPLOYMENT
WAS 12-1-11
13⁰⁰ A Hr 2500.00 MONTHLY

1 2. Have you received, within the past twelve (12) months, any money from any of the
2 following sources:

- 3 a. Business, profession or self employment? YES ☐ NO ☒
- 4 b. Income from stocks, bonds or royalties? YES ☐ NO ☒
- 5 c. Rent payments? YES ☐ NO ☒
- 6 d. Pensions, annuities or life insurance payments? YES ☐ NO ☒
- 7 e. Federal or state welfare payments, Social Security or other government source? YES ☐ NO ☒

8
9
10 If the answer is "yes" to any of the above, describe each source of money and state the
11 amount received from each.

12
13 3. Are you married? YES ☐ NO ☒

14 Spouse's Full Name: _____

15 Spouse's Place of Employment: _____

16 Spouse's Monthly Salary, Wages or Income: _____

17 Gross \$ _____ Net \$ _____

- 18 4. a. List amount you contribute to your spouse's support: \$ _____
- 19 b. List the persons other than your spouse who are dependent upon you for
20 support and indicate how much you contribute toward their support. (NOTE:
21 For minor children, list only their initials and ages. Do not include their
22 names.)

23 5. Do you own or are you buying a home? YES ☐ NO ☒

24 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

25 6. Do you own an automobile? YES ☐ NO ☒

26 Make _____ Year _____ Model _____

27 Is it financed? Yes _____ No _____ If so, Total due: \$ _____

28 Monthly Payment: \$ _____

1 7. Do you have a bank account? YES ☐ NO ☒

2 Name(s) and address(es) of bank (do not include account numbers): _____

3 _____

4 _____

5 Present balance(s): \$ 0

6 Do you own any cash? YES ☐ NO ☒ Amount: \$ 0

7 Do you have any other assets? YES ☐ NO ☒

8 If "yes," provide a description of each asset and its estimated market value.

9 _____

10 _____

11 8. What are your monthly expenses?

12 Rent: \$ 0 Utilities: 0

13 Food: \$ 0 Clothing: 0

14 9. Do you have any charge accounts/credit cards? YES ☐ NO ☒

15 If yes, list them below. (Do not include account numbers.)

16 Name of Account Monthly Payment Total Owed on This Acct.

17 _____ \$ _____ \$ _____

18 _____ \$ _____ \$ _____

19 _____ \$ _____ \$ _____

20 9. Do you have any other debts? (List current obligations, indicating amounts and to whom they are payable. Do not include account numbers.)

21 _____

22 NONE

23 10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? YES ☐ NO ☒

24 If so, please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

25 _____

26 _____

27 _____

28 _____

1 I consent to prison officials withdrawing from my trust account and paying to the
2 court the initial partial filing fee and all installment payments required by the court.

3 I declare under the penalty of perjury that the foregoing is true and correct and
4 understand that a false statement herein may result in the dismissal of my claims.

5
6 02/18/2015
7 DATE

Wesley Kissler
SIGNATURE OF APPLICANT

Date\Time: 2/20/2015 8:46:52 AM

CDCR

Verified: _____

Institution: DVI

Inmate Statement Report

CDCR#	Inmate/Group Name	Institution	Unit	Cell/Bed
AN2328	KESSLER, WESLEY	DVI	A EH 3	031001

Current Available Balance: \$0.00

Transaction List

Transaction Date	Institution	Transaction Type	Source Doc#	Receipt#/Check#	Amount	Account Balance
08/20/2014	DVI	BEGINNING BALANCE				\$0.00
10/25/2014	DVI	JPAY	0000000039574313		\$40.00	\$40.00
10/25/2014	DVI	RESTITUTION FINE PAYMENT			(\$20.00)	\$20.00
10/25/2014	DVI	ADMINISTRATIVE FEE			(\$2.00)	\$18.00
10/25/2014	DVI	SHIPPING CHARGES DUE STATE	011413/R&R		(\$3.09)	\$14.91
11/05/2014	DVI	SALES	47		(\$14.90)	\$0.01
01/06/2015	DVI	MEDICAL COPAY	0162441 DVI 1/6/15		(\$0.01)	\$0.00

Encumbrance List

Encumbrance Type	Transaction Date	Amount
No information was found for the given criteria.		

Obligation List

Obligation Type	Court Case#	Original Owed Balance	Sum of Tx for Date Range for Oblg	Current Balance
No information was found for the given criteria.				

Restitution List

Restitution	Court Case#	Status	Original Owed Balance	Interest Accrued	Sum of Tx for Date Range for Oblg	Current Balance
RESTITUTION FINE	12F04281	Active	\$240.00	\$0.00	(\$20.00)	\$220.00
FINE PC 1202.45	12F04281	Active	\$240.00	\$0.00	\$0.00	\$240.00
RESTITUTION FINE	14F04267	Active	\$300.00	\$0.00	\$0.00	\$300.00



THE VITEST INSTRUMENT IS A SEPARATE
 COPY OF THE TRUST ACCOUNT MAINTAINED
 BY THIS OFFICE. 2/20/15
 ATTEST:
 CALIFORNIA DEPARTMENT OF CORRECTIONS
 BY Mary R. Mattos
 TRUST OFFICE

Date\Time: 2/20/2015 8:46:52 AM

CDCR

Verified: _____

Institution: DVI

Inmate Statement Report

Start Date:	8/20/2014	Revalidation Cycle:	All
End Date:	2/20/2015	Housing Unit:	All
Inmate/Group#:	AN2328		



THIS VERIFIED INSTRUMENT IS A GUARANTEED
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE. 2/20/15
ATTEST:
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY Mary Demottas
TRUST OFFICE