

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

Your full name

v.

APPLICATION AND AFFIDAVIT
TO PROCEED WITHOUT
PREPAYMENT OF FEES

Civil Action No: _____
(To be assigned by the Clerk of Court)

Enter above the full name of defendant(s) in this action

I, _____ declare that I am the (check appropriate box)
 Plaintiff/petitioner/movant Appellant (on appeal to the Fourth Circuit)
 other
in this case.

In support of my request to proceed without prepayment of fees or costs under 28 U.S.C. § 1915, I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion/notice of appeal. **I agree that, if I am granted this application, a portion of any recovery, as directed by the Court, will be paid to the Clerk of Court for reimbursement of all unpaid fees and**

costs incurred by me in this case.

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

1. I am currently incarcerated at _____.

IMPORTANT: HAVE THE INSTITUTION FILL OUT THE PRISONER TRUST ACCOUNT REPORT 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 employed at the Institution? Yes No

If the answer is "YES," state the amount of your pay: _____

3. In the past twelve (12) months have you received any money from any of the following sources?

- 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 you answered "YES" to any portion of question #3, describe each source of money and state the amount received and what you expect you will continue to receive. _____

4. Do you have any **cash, checking, or savings accounts**, other than your prisoner

trust account, or are there any such accounts where your name is listed in addition to other individuals as an account holder?

- Yes No

If you answered "YES" above, list the name(s) and address(es) of the institutions where your accounts are located, the type of account, and the present balance of each account. _____

5. Do you have any IRA/money market/ or CDs separate from the accounts listed above? Yes No

If you answered "YES" above, list the name(s) and address(es) of the institutions where your accounts are located, the type of account, and the present balance of each account. _____

6. Do you own an automobile(s), or does your name appear with any other individuals on the title of any automobile(s)? Yes No

If you answered "YES" above, for each such automobile please state:

Make _____ Model _____ Year _____

Is it financed? Yes No

If you answered "YES," what is the amount owed? _____

7. Do you own any real estate, stocks, bonds, securities, other financial instruments, or any other thing of value? Yes No

If you answered "YES," describe the property and state its value.

8. Do you have any assets or personal property other than clothing?
 Yes No

If you answered "YES," describe each such asset and state its value.

9. Have you placed any property, assets, or cash in the name(s) or custody of anyone else in the last two (2) years? Yes No

If you answered "YES," describe each type of property, asset and/or money, give the name(s) of the person(s) given custody, and the reason(s) for the transfer.

Petitioner's Declaration

I understand that if I am released or transferred, it is my responsibility to keep the Court informed of my whereabouts and failure to do so will result in this action being dismissed by the Court.

Executed at _____ on _____.
(Location) (Date)

Your Signature