

OP 09-0105

FILED

February 23 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

FORM TO BE USED BY PRISONERS REQUESTING TO
PROCEED WITHOUT PREPAYMENT OF COSTS

(IN FORMA PAUPERIS)

FILED

NAME Marlon Camarillo

FEB 23 2009

PRISON NUMBER _____

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

PLACE OF CONFINEMENT M.S.P

CRIMINAL CAUSE NUMBER DC-98-903

Marlon Camarillo
(List all Plaintiffs/Petitioners/Movants)

v.

Mike MAHONEY Warden of M.S.P
(List all Defendants/Respondents).

Instructions

1. Use this form if you are filing a legal document in state district court or the Montana Supreme Court and you cannot pay the filing fee. File this form when you file your legal pleading – not before.
2. ATTACH AN OFFICIAL COPY OF YOUR INMATE TRUST ACCOUNT STATEMENT TO THIS FORM.
3. You must tell the truth and sign the form. If you make a false statement of a material fact you may be prosecuted for perjury.
4. If you are allowed to proceed *in forma pauperis*, you may file your legal documents without prepayment of costs. It does not mean you are entitled to free transcripts or the appointment of counsel.

MOTION AND AFFIDAVIT TO PROCEED WITHOUT
PREPAYMENT OF COSTS (IN FORMA PAUPERIS)

1. My name is Ernest Camacillo

I am the (check one) petitioner/plaintiff
 defendant
 other (explain) _____

2. In support of my request to proceed without prepayment of costs, I declare that I am unable to pay the costs of these proceedings and that I am entitled to relief in the action to which I am or will be a party.

3. In support of this motion, I answer the following questions under penalty of perjury.

4. Are you currently incarcerated? Yes No

5. Are you currently 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:

_____ N/A _____

b. If no, state the date of your last employment and the amount of salary or wages per month:

_____ N/A _____

6. In the past 12 months, have you received any money from any of the following sources?

- | | |
|---|--|
| a. business, profession or other self-employment | Yes [] No [<input checked="" type="checkbox"/>] |
| b. rent payments, interests or dividends | Yes [] No [<input checked="" type="checkbox"/>] |
| c. pensions, annuities or life insurance payments | Yes [] No [<input checked="" type="checkbox"/>] |
| d. disability or workers compensation payments | Yes [] No [<input checked="" type="checkbox"/>] |
| e. social security or retirement benefits | Yes [] No [<input checked="" type="checkbox"/>] |
| f. family or friends | Yes [<input checked="" type="checkbox"/>] No [] |
| g. gifts or inheritances | Yes [<input checked="" type="checkbox"/>] No [] |
| h. any other sources (specify) <u>20.00 a month</u> | Yes [<input checked="" type="checkbox"/>] No [] |
- AUG

If the answer to any of the above is yes, describe each source of money, state the amount received during the past 12 months, the frequency with which you receive it, and what you expect you will continue to receive:

7. Do you have any case or checking or savings accounts? Yes [] No []

If yes, state the total value of all three: _____

8. Do you own any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)? Yes [] No []

If yes, describe the property and state its value: _____

9. List the persons who are dependent on you for support and state your relationship to each person. Indicate how much you contribute to their support:

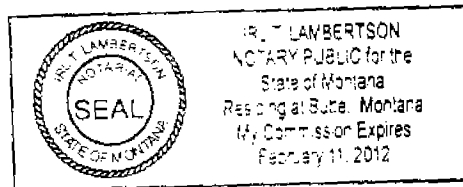
N/A

DATED this 19 day of FEB., 2009.

Marlon Camarillo
Signature of Applicant (sign in presence of notary)

SUBSCRIBED and SWORN to before me this 19 day of February,
2009, by Marlon Camarillo (name of Applicant).

J. T. Lambertson
Signature notary
J. T. Lambertson
Name - typed, stamped or printed
Notary Public for the State of Montana
Residing at Butte
My commission expires 2-11-2012



LET THE APPLICANT PROCEED WITHOUT PREPAYMENT OF COSTS.

(District Judge or Supreme Court)

MT Supreme Court

Daily Transaction Summary: August 02, 2008 - August 22, 2008

Offender Information

Offender Number: A045858	Account Status: Open	Beginning Balance: \$36.17	
Offender Name: CAMARILLO, MARLON RAYMOND		Deposits: \$106.43	
Living Unit: CU1	Primary Balance: \$93.87	Expenditures: \$0.00	Mandatory Savings: Yes
Cell: UD	Savings Balance: \$0.00	Commissary: (\$48.73)	
Bed: 122	Hold Balance: \$0.00	Ending Balance: \$93.87	

Deposits

Date	Payer	Account	Paid To	Amount
08/21/2008	Camarillo/Rhonda Camarillo	Victim Compensation - DC98-903/990244	DEPT. CORRECTIONS RESTITUTION	(\$16.67)
08/21/2008	Camarillo/Rhonda Camarillo	Primary		\$100.00
08/05/2008	Inmate Payroll - July 2008 Food Service	Victim Compensation - DC98-903/990244	DEPT. CORRECTIONS RESTITUTION	(\$4.62)
08/05/2008	Inmate Payroll - July 2008 Food Service	Primary		\$27.72

Expenditures

Date	Category	Recipient	Check Number	Amount	Taxes	S&H/Other	Total
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No Activity

Commissary

Date	Amount	Taxes	Surcharges	Total
08/20/2008	\$0.00	\$0.00	\$0.00	\$9.09
08/18/2008	\$0.00	\$0.00	\$0.00	(\$9.09)
08/11/2008	\$0.00	\$0.00	\$0.00	(\$21.60)
08/05/2008	\$0.00	\$0.00	\$0.00	\$3.07
08/04/2008	\$0.00	\$0.00	\$0.00	(\$30.20)

Remaining Obligations - Current as of Date and Time of Report

Description	Paid To	Period To Curr	Max per Period	Ordered	Pct Ordered	Transferred	Paid To Curr	Outside Source	Total Paid	Total Remaining
DOC Sanction - DC98-903/990244	DEPT. CORRECTIONS RESTITUTION	\$0.00	N/A	\$26587.08	N/A	\$0.00	\$401.08	\$1285.88	\$1686.96	\$24900.12
									Total:	\$24900.12

Montana State Prison Resident Activity Statement

Resident Name: CAMARILLO, MARLON
Housing Location: MSP, CU1, L, A, 1, 2

Resident ID: 45858

Date Range:

08/22/2008 Through 02/05/2009

Beginning Account Balances:

Ending Account Balances:

	Personal Balance	Non-Per Balance	Debt		Personal Balance	Non-Per Balance	Debt
Rstitution	\$0.00	\$0.00	\$0.00	Rstitution	\$0.00	\$0.00	(\$24,737.73)
Trust	\$0.00	\$0.00	\$0.00	Trust	\$8.12	\$0.00	\$0.00
Begin Totals	\$0.00	\$0.00	\$0.00	End Totals	\$8.12	\$0.00	(\$24,737.73)

Date	Amount	Type	Comment	Personal Bal Change	Personal Acct Balance	Non-Personal Change	Non-Personal Acct Bal	Debt Bal Change	Debt Balance
08/23/2008	\$0.00	Intake	Automated Intake	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
08/23/2008	\$0.00	Change Housing	Intake Housing Assignment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
08/23/2008	\$93.87	Direct ROA	Automated Beg Bal Deposit	\$93.87	\$93.87	\$0.00	\$0.00	\$0.00	\$0.00
08/25/2008	(\$10.13)	Sale	Debit Sale	(\$10.13)	\$83.74	\$0.00	\$0.00	\$0.00	\$0.00
08/26/2008	(\$56.46)	Sale	Debit Sale	(\$56.46)	\$27.28	\$0.00	\$0.00	\$0.00	\$0.00
08/26/2008	(\$24,900.12)	Resident Charge	Beginning Debt Balance	\$0.00	\$27.28	\$0.00	\$0.00	(\$24,900.12)	(\$24,900.12)
09/02/2008	(\$25.94)	Sale	Debit Sale	(\$25.94)	\$1.34	\$0.00	\$0.00	\$0.00	(\$24,900.12)
09/03/2008	\$39.83	Resident Deposit	Inmate Pay - August 2008 Food Service	\$33.19	\$34.53	\$6.64	\$6.64	\$6.64	(\$24,893.48)
09/08/2008	(\$26.32)	Sale	Debit Sale	(\$26.32)	\$8.21	\$0.00	\$6.64	\$0.00	(\$24,893.48)
09/10/2008	\$70.00	Resident Deposit	Rhonda Camarillo	\$58.33	\$66.54	\$11.67	\$18.31	\$11.67	(\$24,881.81)
09/15/2008	(\$27.52)	Sale	Debit Sale	(\$27.52)	\$39.02	\$0.00	\$18.31	\$0.00	(\$24,881.81)
09/19/2008	(\$18.31)	Group Withdrawal		\$0.00	\$39.02	(\$18.31)	\$0.00	\$0.00	(\$24,881.81)
09/19/2008	\$18.31	Group Withdrawal	Reversed Task No. 48570	\$0.00	\$39.02	\$18.31	\$18.31	\$0.00	(\$24,881.81)
09/19/2008	(\$18.31)	Group Withdrawal		\$0.00	\$39.02	(\$18.31)	\$0.00	\$0.00	(\$24,881.81)

09/22/2008	(\$26.92) Sale	Debit Sale	(\$26.92)	\$12.10	\$0.00	\$0.00	\$0.00	(\$24,881.81)
09/29/2008	(\$3.35) Sale	Debit Sale	(\$3.35)	\$8.75	\$0.00	\$0.00	\$0.00	(\$24,881.81)
10/06/2008	(\$8.60) Sale	Debit Sale	(\$8.60)	\$0.15	\$0.00	\$0.00	\$0.00	(\$24,881.81)
10/07/2008	\$20.00 Resident Deposit	Rhonda Camarillo	\$16.66	\$16.81	\$3.34	\$3.34	\$3.34	(\$24,878.47)
10/07/2008	\$30.08 Resident Charge		\$0.00	\$16.81	\$0.00	\$3.34	\$30.08	(\$24,848.39)
10/08/2008	\$42.43 Resident Deposit	Inmate Pay - Sept 2008 Food Service	\$35.36	\$52.17	\$7.07	\$10.41	\$7.07	(\$24,841.32)
10/10/2008	\$50.00 Resident Deposit	Camarillo/Rhonda Camarillo	\$41.67	\$93.84	\$8.33	\$18.74	\$8.33	(\$24,832.99)
10/14/2008	(\$28.21) Sale	Debit Sale	(\$28.21)	\$65.63	\$0.00	\$18.74	\$0.00	(\$24,832.99)
10/20/2008	(\$17.98) Sale	Debit Sale	(\$17.98)	\$47.65	\$0.00	\$18.74	\$0.00	(\$24,832.99)
10/20/2008	(\$18.74) Group Withdrawal		\$0.00	\$47.65	(\$18.74)	\$0.00	\$0.00	(\$24,832.99)
10/21/2008	\$0.00 Change Housing	Automated Housing Change	\$0.00	\$47.65	\$0.00	\$0.00	\$0.00	(\$24,832.99)
10/24/2008	(\$39.26) Sale	Debit Sale	(\$39.26)	\$8.39	\$0.00	\$0.00	\$0.00	(\$24,832.99)
10/31/2008	\$50.00 Resident Deposit	Camarillo/Rhonda Camarillo	\$41.67	\$50.06	\$8.33	\$8.33	\$8.33	(\$24,824.66)
10/31/2008	(\$8.33) Group Withdrawal	Restitution Deductions	\$0.00	\$50.06	(\$8.33)	\$0.00	\$0.00	(\$24,824.66)
11/03/2008	(\$12.56) Sale	Debit Sale	(\$12.56)	\$37.50	\$0.00	\$0.00	\$0.00	(\$24,824.66)
11/03/2008	\$62.08 Resident Charge	J/S Payments	\$0.00	\$37.50	\$0.00	\$0.00	\$62.08	(\$24,762.58)
11/05/2008	\$36.97 Resident Deposit	MSP Inmate Pay Oct 2008 - Food Service	\$30.81	\$68.31	\$6.16	\$6.16	\$6.16	(\$24,756.42)
11/07/2008	\$0.00 Release	Automated Release	\$0.00	\$68.31	\$0.00	\$6.16	\$0.00	(\$24,756.42)
11/07/2008	\$0.00 Intake	Automated Intake	\$0.00	\$68.31	\$0.00	\$6.16	\$0.00	(\$24,756.42)
11/07/2008	\$0.00 Change Housing	Intake Housing Assignment	\$0.00	\$68.31	\$0.00	\$6.16	\$0.00	(\$24,756.42)
11/07/2008	(\$0.17) Transfer Other Funds	postage	(\$0.17)	\$68.14	\$0.00	\$6.16	\$0.00	(\$24,756.42)
11/10/2008	(\$19.71) Sale	Debit Sale	(\$19.71)	\$48.43	\$0.00	\$6.16	\$0.00	(\$24,756.42)

11/17/2008	(\$16.92) Sale	Debit Sale	(\$16.92)	\$31.51	\$0.00	\$6.16	\$0.00	(\$24,756.42)
11/17/2008	(\$6.16) Group Withdrawal	MSP Restitution Deductions	\$0.00	\$31.51	(\$6.16)	\$0.00	\$0.00	(\$24,756.42)
11/19/2008	\$20.00 Resident Deposit	Rhonda Camarillo	\$16.66	\$48.17	\$3.34	\$3.34	\$3.34	(\$24,753.08)
11/24/2008	(\$5.00) Transfer Other Funds	Hobby	(\$5.00)	\$43.17	\$0.00	\$3.34	\$0.00	(\$24,753.08)
11/24/2008	(\$24.59) Sale	Debit Sale	(\$24.59)	\$18.58	\$0.00	\$3.34	\$0.00	(\$24,753.08)
12/01/2008	(\$15.89) Sale	Debit Sale	(\$15.89)	\$2.69	\$0.00	\$3.34	\$0.00	(\$24,753.08)
12/01/2008	(\$3.34) Group Withdrawal	MSP Restitution Deductions	\$0.00	\$2.69	(\$3.34)	\$0.00	\$0.00	(\$24,753.08)
12/03/2008	\$50.59 Resident Deposit	Inmate Pay - November 2008 Food Service	\$42.16	\$44.85	\$8.43	\$8.43	\$8.43	(\$24,744.65)
12/08/2008	(\$17.26) Sale	Debit Sale	(\$17.26)	\$27.59	\$0.00	\$8.43	\$0.00	(\$24,744.65)
12/12/2008	(\$0.34) Transfer Other Funds	Postage	(\$0.34)	\$27.25	\$0.00	\$8.43	\$0.00	(\$24,744.65)
12/15/2008	(\$20.05) Sale	Debit Sale	(\$20.05)	\$7.20	\$0.00	\$8.43	\$0.00	(\$24,744.65)
12/15/2008	(\$8.43) Group Withdrawal		\$0.00	\$7.20	(\$8.43)	\$0.00	\$0.00	(\$24,744.65)
12/15/2008	\$8.43 Group Withdrawal	Entered Incorrectly	\$0.00	\$7.20	\$8.43	\$8.43	\$0.00	(\$24,744.65)
12/15/2008	(\$8.43) Group Withdrawal	MSP Restitution Deductions	\$0.00	\$7.20	(\$8.43)	\$0.00	\$0.00	(\$24,744.65)
12/22/2008	(\$4.80) Sale	Debit Sale	(\$4.80)	\$2.40	\$0.00	\$0.00	\$0.00	(\$24,744.65)
01/06/2009	\$41.49 Resident Deposit	Inmate Pay - December 2008 Food Service	\$34.57	\$36.97	\$6.92	\$6.92	\$6.92	(\$24,737.73)
01/13/2009	(\$26.26) Sale	Debit Sale	(\$26.26)	\$10.71	\$0.00	\$6.92	\$0.00	(\$24,737.73)
01/20/2009	(\$6.92) Group Withdrawal	MSP Restitution Deductions Dec 2008	\$0.00	\$10.71	(\$6.92)	\$0.00	\$0.00	(\$24,737.73)
01/22/2009	\$0.00 Change Housing	Automated Housing Change	\$0.00	\$10.71	\$0.00	\$0.00	\$0.00	(\$24,737.73)
02/03/2009	(\$2.59) Sale	Debit Sale	(\$2.59)	\$8.12	\$0.00	\$0.00	\$0.00	(\$24,737.73)