

ORIGINAL

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Detained

RECEIVED
MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JUN 26 2009

FILED 6-26-09 pu
DOCKETED 6-26-09 pu
DATE INITIAL

Attorney for Petitioner

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Cesar Jimenez-Mendez,)
)
Petitioner,)
)
v.)
)
Eric HOLDER,)
Attorney General,)
U.S. Department of Justice)
)
Respondent.)

Case File No. 09-71987

DHS File No. A037 082 657

**PETITION FOR REVIEW
AND REQUEST FOR STAY OF REMOVAL
WITH REQUEST TO SUPPLEMENT STAY IN 14 DAYS**

Petitioner Sezar Dent (aka Cesar Jimenez-Mendez) (hereafter “Petitioner”) hereby seeks review by this Court of the Order of the Board of Immigration Appeals (“BIA”), dated June 3, 2009. The Order rescinds the BIA’s Order of September 21, 2005 and reissues its Order of August 18, 2005 treated as if effective June 3, 2009. A copy of the BIA decision dated June 3, 2009 is attached as Exhibit A. Copies of the BIA’s decisions of August 18, 2005 and September 21, 2005 are attached as Exhibits B and C respectively.

1. Venue is properly with this Court pursuant to 8 U.S.C. § 1252(b)(2) because the administrative proceedings before the Immigration Judge were conducted in Florence, Arizona, within the jurisdiction of this judicial circuit.
2. Jurisdiction is asserted in this Court under 8 U.S.C. § 1252(a). Cases initiated in the immigration court after April 1, 1997 are controlled by 8 U.S.C. § 1252(a), as enacted by section 309(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”) Pub. L. No. 104-208, 110 Stat. 3009 (Sept. 30, 1996). This Court has jurisdiction over final orders of removal under 8 U.S.C. § 1252(a) and has jurisdiction to determine its own jurisdiction under 8 U.S.C. § 1252(a)(2)(C). *See Figueroa v. Mukasey*, 543 F.3d 487, 490, 493-94 (9th Cir. Sept. 10, 2008).

This Court also has jurisdiction to review “constitutional claims or question of law,” notwithstanding any other provision of the INA. 8 U.S.C. § 1252(a)(2)(D), as enacted by the REAL ID Act of 2005, Title I, § 106(a)(1)(A)(iii), Pub. L. No. 109-13, 119 Stat. 231 (May 11, 2005); *Figueroa*, 543 F.3d at 494.

3. This petition for review asserts that the BIA, *inter alia*, was wrong as a matter of law, and violated Petitioner’s constitutional rights, in sustaining the Immigration Judge’s order finding Petitioner removable as charged.
4. The validity of the Order herein complained of has not been upheld at any prior judicial proceeding.
5. Petitioner further requests a stay of removal pending this Court’s resolution of his petition for review. *See DeLeon v. INS*, 115 F.3d 643, 644 (9th Cir. 1997) (stay of deportation); *Andrieu v. Ashcroft*, 253 F.3d 477 (9th Cir. 2001) (en banc) (stay of removal). The Ninth Circuit Court of Appeals has long applied two standards in determining whether to grant a stay request pending its adjudication of the case’s merits. *See, e.g., Stormans Inc. v. Selecky*, 526 F.3d 406, 412 (9th Cir. 2008); *Golden Gate Rest. v. City and County of San Francisco*, 512 F.3d 1112, 1116 (9th Cir. 2008); *Arthurs v. U.S. I.N.S.*, 959 F.2d 142, 143 (9th Cir. 1992); *Artukovic v. Rison*, 784 F.2d 1354, 1355 (9th

Cir. 1986); *Lopez v. Heckler*, 713 F.2d 1432, 1435 (9th Cir. 1983), *rev'd in part on other grounds*, 463 U.S. 1328 (1983).¹ Pursuant to Ninth Circuit precedent, a discretionary stay of removal may be granted if the moving party shows either: (1) a probability of success on the merits and the possibility of irreparable injury if the stay is not granted; or (2) that serious legal questions are raised and that the balance of hardships tips sharply in the movant's favor. *Andreiu*, 253 F.3d at 483; *Abbassi*, 143 F.3d at 514 (citing *Artukovic*, 784 F.2d at 1355 and *Arthurs*, 959 F.2d at 143-44). The Supreme Court recently addressed and modified the former of these two standards in *Nken v. Holder*, ___ U.S. ___, 2009 WL 1065976 (2009). The Supreme Court identified four factors that should be considered in applying that standard: “(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest

¹ These cases derive these two standards from a long line of cases addressing the issuance of preliminary injunctions. *See, e.g., Los Angeles Memorial Coliseum Comm'n v. Nat'l Football League*, 634 F.2d 1197, 1200-01 (9th Cir. 1980); *Miss Universe Inc. v. Flesher*, 605 F.2d 1130, 1134 (9th Cir. 1979); *Benda v. Grand Lodge of Intern'l Ass'n of Machinists and Aerospace Workers*, 584 F.2d 308, 314-15 (9th Cir. 1978); *William Inglis & Sons Baking Co. v. ITT Continental Baking Co., Inc.*, 526 F.2d 86, 88 (9th Cir. 1975) (citing *Charlie's Girls, Inc. v. Revlon, Inc.*, 483 F.2d 953, 954 (2d Cir. 1973), *Semmes Motors, Inc. v. Ford Motor Co.*, 429 F.2d 1197, 1205-06 (2d Cir. 1970), and *Hamilton Watch Co. v. Benrus Watch Co.*, 206 F.2d 738, 740 (2d Cir. 1953)).

lies.” Id. at *11 (quoting *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987)).

When weighed against the latter two factors, “[t]he first two factors of the traditional standard are the most critical.” Id. (emphasis added).

6. The filing of this motion with this Court operates to stay Petitioner’s removal temporarily, “until the court rules on the stay motion” *DeLeon*, 115 F.3d at 644. Petitioner raises serious legal questions regarding whether the BIA’s decisions were wrong as a matter of law and violated Petitioner’s constitutional rights, and the balance of hardships clearly tips in his favor. Petitioner will supplement this motion within 14 days, i.e., by July 10, 2009. See Ninth Circuit General Order 6.4(c).
7. Petitioner is in the custody of the Department of Homeland Security at the Seneca County Jail in Tiffin, Ohio. He has no other motions or applications for adjustment of status pending.

8. A motion to Proceed *In Forma Pauperis* is being filed contemporaneously with this Petition for Review.²

Dated: June 25, 2009

Respectfully submitted,



David W. Leopold
DAVID WOLFE LEOPOLD & ASSOCIATES
CO., LPA

Attorney for Petitioner

² The Undersigned Counsel was originally appointed pursuant to the Criminal Justice Act Plan (CJA) to represent Petitioner in *United States of America v. Dent*, Case No.: 1:08-CR-272 (N.D. Ohio). This Petition for Review and all other motions in this case are filed *Pro Bono*.

PROOF OF SERVICE BY MAIL

I, Julia Salahshour, the undersigned, say:

I am over the age of eighteen years and not a party to the within action or proceedings; my business address is DAVID WOLFE LEOPOLD AND ASSOCIATES CO., LPA 1220 West 6th Street Suite 203, Cleveland, Ohio 44113.

On June 25, 2009, I served the within:

**PETITION FOR REVIEW
AND REQUEST FOR STAY OF REMOVAL WITH REQUEST TO
SUPPLEMENT STAY IN 14 DAYS**

on the opposing counsel and the Department of Homeland Security by depositing one copy thereof, enclosed in a sealed envelope with postage fully pre-paid, in a mailbox regularly maintained by the United States Postal Service at Cleveland, Ohio, addressed as follows:

Mr. Eric Holder
U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Office of General Counsel
U.S. Department of Homeland Security
Washington, D.C. 20528

Thomas W. Hussey, Director
Office of Immigration Litigation
U.S. Department of Justice/Civil Division
1331 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Vincent J. Clausen, Field Office Director
U.S. Immigration and Customs Enforcement
Office of Detention and Removal Operations
333 Mt. Elliott Street
Detroit, MI 48207

Executed on June 25, 2009, at Cleveland, Ohio. I declare under penalty of perjury, under the laws of the State of Ohio that the foregoing is true and correct.



Julia Salahshour
Declarant

Exhibit A



U.S. Department of Justice

Executive Office for Immigration Review

*Board of Immigration Appeals
Office of the Clerk*

5107 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041

DAVID W. LEOPOLD, ESQUIRE
1220 W. 6th Street, Ste. 203
Cleveland, OH 44113

U.S. DHS-Trial Attorney Unit/FLO
P.O. Box 25158
Phoenix, AZ 85002

Name: DENT, SAZAR

A037-082-657

Date of this notice: 6/3/2009

Enclosed is a copy of the Board's decision and order in the above-referenced case.

Sincerely,

Donna Carr

Donna Carr
Chief Clerk

Enclosure

Panel Members:

Kendall-Clark, Molly

U.S. Department of Justice
Executive Office for Immigration Review

Decision of Board of Immigration Appeals

Falls Church, Virginia 22041

File: A037 082 657¹ -Florence, AZ

Date:

JUN 03 2009

In re: SAZAR DENT a.k.a. Cesar Augusto Jimenez-Mendez

IN REMOVAL PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: David W. Leopold, Esquire

ON BEHALF OF DHS: Victoria A. Christian
Deputy Chief Counsel

APPLICATION: Reissuance


REISSUED DECISION

This case was last before the Board on September 21, 2005, at which time the Board reissued its decision of August 18, 2005. The decision was reissued because the August 18, 2005, decision was mailed to an incomplete address, due to Board error, and was not received by the respondent. The respondent again seeks reissuance of the decision on the basis that he was removed from the United States on September 12, 2005, prior to the September 21, 2005, reissuance of the decision of August 18, 2005. Form I-205 R of record confirms that the respondent was removed on that date. The Board's decision will be reissued.

The Board will reissue a decision where an administrative error has resulted in a defect of service which, if not corrected, would prevent a party from perfecting a timely appeal or complying with a voluntary departure deadline. Accordingly, we find it again appropriate to reissue our decision of August 18, 2005.

ORDER: The Board's decision dated August 18, 2005, is hereby reissued and shall be treated as entered as of today's date.

FURTHER ORDER: The Board's decision of September 21, 2005, is hereby rescinded.



FOR THE BOARD

¹ The alien number, A024 411 521, which appears on the July 21, 2004, Notice to Appear, and the August 9, 2004, and August 16, 2004, Notices of Hearing, relates to the respondent, as does the alien number appearing in the caption of this order, A037 082 657.

Exhibit B

U.S. Department of Justice
Executive Office for Immigration Review

Decision of the Board of Immigration Appeals

Falls Church, Virginia 22041

File: A37-082-657 - Phoenix

Date:

AUG 18 2005

In re: DENT, SAZAR

IN REMOVAL PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Pro se

ON BEHALF OF DHS: Virginia A. Vasquez, Assistant Chief Counsel

ORDER:

PER CURIAM. We adopt and affirm the decision of the Immigration Judge finding the respondent subject to removal as charged. See Matter of Burbano, 20 I&N Dec. 872, 874 (BIA 1994) (noting that adoption or affirmance of a decision of an Immigration Judge, in whole or in part, is "simply a statement that the Board's conclusions upon review of the record coincide with those the Immigration Judge articulated in his or her decision"). We find no error in the Immigration Judge's determination that the respondent failed to establish prima facie eligibility for United States citizenship because the respondent did not naturalize prior to his eighteenth birthday. See sections 322(a) & (b) of the Immigration and Nationality Act. Accordingly, the appeal is dismissed.



FOR THE BOARD

Exhibit C

U.S. Department of Justice
Executive Office for Immigration Review

Decision of the Board of Immigration Appeals

Falls Church, Virginia 22041

File: A37 082 657 - Phoenix

Date:

In re: SAZAR DENT a.k.a. Cesar Augusto Jimenez-Mendez

SEP 21 2005

IN REMOVAL PROCEEDINGS

MOTION


ON BEHALF OF RESPONDENT: Pro se

ON BEHALF OF DHS: Virginia A. Vasquez, Assistant Chief Counsel

REISSUED DECISION

Due to an apparent error in administrative processing of the Board's August 18, 2005, decision in this case, the decision will be reissued and treated as if entered on today's date.

ORDER: The Board's decision dated August 18, 2005, is hereby reissued and shall be treated as entered as of today's date.



FOR THE BOARD

ORIGINAL

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U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

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Sazar DENT,)
)
Petitioner,)
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v.)
)
Eric HOLDER,)
Attorney General,)
U.S. Department of Justice)
)
Respondent.)

Case File No. 09-71987
DHS File No. A037 082 657

**MOTION TO PROCEED
IN FORMA PAUPERIS**

Now Comes Petitioner, Sazar Dent (aka Cesar Jimenez-Mendez), by and through *pro bono* counsel, and, pursuant to Fed. R. App. P. 24(b), hereby files his Motion to Proceed *In Forma Pauperis*. Petitioner is currently being detained by the Department of Homeland Security ("DHS) in the Seneca County Jail in Tiffin, Ohio, is indigent, and is without the ability to earn any income whatsoever as he has been detained for over a year. See Affidavit to Proceed *In Forma Pauperis*, appended as Exhibit 1. The undersigned counsel was originally appointed by Judge Wells of the U.S. District Court for the Northern District of Ohio to represent Petitioner in an illegal reentry indictment pursuant to the Criminal Justice Plan Act and has filed the instant petition for review, and accompanying motions, *pro bono*.

The issues raised by Petitioner in this petition for review are meritorious and substantial. In sum, the administrative removal proceedings were fraught with material mistakes and omissions on the part of the Immigration Judge (hereafter "IJ"), the Board of Immigration Appeals (hereafter "the Board") and the Department of Homeland Security (hereafter "DHS"), such that Mr. Dent was deprived of any semblance of a

fundamentally fair removal hearing. The IJ repeatedly failed to properly advise Mr. Dent of his procedural rights, as required by the regulations and committed material procedural and substantive errors of law; the BIA simply ignored the IJ's errors and summarily approved his decision; and the DHS, bungled its way through the proceedings, mischarging and recharging Mr. Dent with different grounds of deportation. A review of the transcript of removal proceedings makes it crystal clear that neither the IJ nor the BIA, nor, for that matter, the DHS, met their responsibilities under the statute and regulations to ensure that Mr. Dent was given a fundamentally fair hearing as required by the Constitution and statutes of the United States.

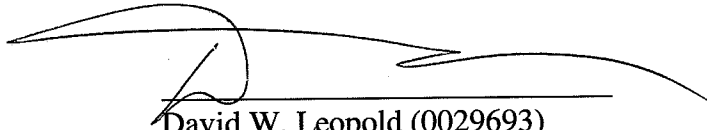
Further, and wholly apart from the maze of procedural and substantive errors and omissions that plagued the removal proceedings, Mr. Dent, as a Lawful Permanent Resident of the United States for more than 20 years, was entitled to apply for full relief from removal in the form of cancellation of removal pursuant to 8 U.S.C. § 1229b(a). Contrary to the DHS' claim, and the IJ's defective legal analysis, Mr. Dent's conviction for escape pursuant to Arizona Revised Statutes ("A.R.S.") § 13-2502 was not an aggravated felony as defined by 8 U.S.C. § 1101(a)(43)(F). The provision requires the offense to 1) have, as an element the use, attempted use, or threatened use of physical force against the person or property of another, or 2) be any other felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense. Yet to be convicted under A.R.S. § 13-2502 a person need only have been arrested, charged with, or found guilty of a misdemeanor or petty offense and knowingly escape or attempt to escape. To be convicted a person need not use, attempt to use nor threaten physical force. Nor does the

crime, by its nature, involve a substantial risk that physical force may be used against a person or property. *See e.g. In Re Brittany Y.*, 214 Ariz. 31, 147 P.3d 1047, 2006 Ariz. App. LEXIS 146 (2006) (unauthorized removal of electronic of home detention device violates escape statute).

Mr. Dent, who is indigent and has been detained by the DHS for more than a year, raises meritorious issues in the instant Petition for Review. Petitioner respectfully submits that the instant motion is well taken and should be granted.

Dated: June 24, 2009

Respectfully submitted,



David W. Leopold (0029693)
David Wolfe Leopold & Assoc. Co., LPA
The Bradley Building
1220 West 6th Street
Cleveland, Ohio 44113
Tel. (216) 696-4676
Fax (216) 696-8268
Email: dleopold@immvisa.com

Attorney for Petitioner

CERTIFICATE OF SERVICE

I, David W. Leopold, hereby certify that I have served the foregoing Petition for Review in the case of Sazar Dent v. Eric Holder, U.S. Attorney General by certified mail this 24th day of June, 2009 to:

Mr. Eric Holder
U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Office of General Counsel
U.S. Department of Homeland Security
Washington, D.C. 20528

Thomas W. Hussey, Director
Office of Immigration Litigation
U.S. Department of Justice/Civil Division
1331 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Vincent J. Clausen, Field Office Director
U.S. Immigration and Customs Enforcement
Office of Detention and Removal Operations
333 Mt. Elliott Street
Detroit, MI 48207



David W. Leopold
Attorney for Petitioner

Exhibit 1

Form 4.

Affidavit Accompanying Motion for Permission to Appeal in Forma Pauperis

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Appellant or Petitioner, Cesar Jimenez-Mendez

v.

Case No.

Appellee or Respondent, Eric Holder, Jr.

Affidavit in Support of Motion

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. 28 U.S.C. sec. 1746; 18 U.S.C. sec. 1621.

Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Signed:

Cesar Jimenez Mendez

Date:

06-17-09

My issues on appeal are:

Whether the Board of Immigration Appeals (BIA) erred in concluding that escape under Arizona Law is an aggravated felony barring relief in the form of Cancellation of Removal under the immigration law;

Whether the BIA erred in affirming the decision of the Immigration Judge in light of numerous procedural and substantive errors during the removal proceeding.

I respectfully reserve the right to raise additional issues in briefing before the Court.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income Source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0	\$ 0	\$ 0	\$ 0
Self-Employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and Dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment Payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-Assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify) N/A	\$ 0	\$ 0	\$ 0	\$ 0
TOTAL MONTHLY INCOME:	\$ 0	\$ 0	\$ 0	\$ 0

2. List your employment history, most recent employer first.
 (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross Monthly Pay
Dura Built	Columbus, Ohio	From 06/2007 To 05/2008	\$ 2,000
Columbus Solutions LLC	Columbus, Ohio	From 06/2002 To 03/2006	\$ 2,000
Dura Built	Columbus, Ohio	From 06/2002 To 01/2005	\$ 2,000
		From To	\$

3. List your spouse's employment history, most recent employer first.
 (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross Monthly Pay
N/A	N/A	From 0 To 0	\$ 0
		From To	\$
		From To	\$
		From To	\$

4. How much cash do you and your spouse have? \$

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount You Have	Amount Your Spouse Has
<input type="text" value="0"/>	<input type="text" value="0"/>	\$ <input type="text" value="0"/>	\$ <input type="text" value="0"/>
<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
<input type="text"/>	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishing.

Home	Value	Other Real Estate	Value
<input type="text" value="N/A"/>	\$ <input type="text" value="0"/>	<input type="text" value="N/A"/>	\$ <input type="text" value="0"/>

Motor Vehicle 1: Make & Year	Model	Registration #	Value
<input type="text" value="N/A"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text" value="0"/>
Motor Vehicle 2: Make & Year	Model	Registration #	Value
<input type="text" value="N/A"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text" value="0"/>

Other Assets	Value
N/A	\$ 0
N/A	\$ 0
N/A	\$ 0

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse	Amount owed to you	Amount owed to your spouse
N/A	\$ 0	\$ 0
N/A	\$ 0	\$ 0
N/A	\$ 0	\$ 0

7. State the persons who rely on you or your spouse for support. If a dependent is a minor, list only the initials and not the full name.

Name	Relationship	Age
N/A	N/A	
N/A	N/A	
N/A	N/A	

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Spouse
Rent or home-mortgage payment (include lot rented for mobile home) - Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	\$ 0	\$ 0
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$ 0
Home maintenance (repairs and upkeep)	\$ 0	\$ 0
Food	\$ 0	\$ 0
Clothing	\$ 0	\$ 0
Laundry and dry-cleaning	\$ 0	\$ 0
Medical and dental expenses	\$ 0	\$ 0
Transportation (not including motor vehicle payments)	\$ 0	\$ 0
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 0
Insurance (not deducted from wages or included in mortgage payments) - Homeowner's or renter's.....	\$ 0	\$ 0
- Life.....	\$ 0	\$ 0
- Health.....	\$ 0	\$ 0
- Motor Vehicle.....	\$ 0	\$ 0
- Other: N/A	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments) Specify: N/A	\$ 0	\$ 0
Installment payments - Motor Vehicle.....	\$ 0	\$ 0
- Credit Card (name): N/A	\$ 0	\$ 0
- Department Store (name): N/A	\$ 0	\$ 0
- Motor Vehicle.....	\$ 0	\$ 0

Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for the operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0
Other (specify) N/A	\$ 0	\$ 0
Total Monthly Expenses:	\$ 0	\$ 0

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No

If yes, describe on an attached sheet.

10. Have you paid--or will you be paying--an attorney any money for services in connection with this case, including the completion of this form?

Yes No

If yes, how much? \$

If yes, state the attorney's name, address, and telephone number.

Name

Address

City State Zip Code

Telephone Number (ex., 4153558000)

11. Have you paid--or will you be paying--anyone other than attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes No

If yes, how much? \$

If yes, state the attorney's name, address, and telephone number.

Name

Address

City State Zip Code

Telephone Number (ex., 4153558000)

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

I have been detained for more than a year and have not been working.

13. State the city and state of your legal residence.

City

Tiffin

State

OH

Your daytime telephone number (ex., 4153558000)

(419) 448-5074

Your age:

41

Your years of schooling:

9

Last four digits of your Social Security Number (ex.,6789)

1,458