**~COMMONWEALTH OF KENTUCKY~**

BREATHITT CIRCUIT COURT NO. \_\_\_\_\_\_\_\_\_\_

KELLY MILLER,

Appellant

APPEAL FROM: BREATHITT DISTRICT CASE 12-M-00319

DISTRICT JUDGE KENNETH R. PROFITT

|  |  |
| --- | --- |
| vs.  COMMONWEALTH OF KENTUCKY,  JOHN SACKLEFORD,  SUSAN MARLENE ALLEN,  JUDGE KENNETH R. PROFITT AND  JOHN DOERS  Appelles  MOTION AND ORDER WITH SUPPORTING  AFFIDAVITS TO PROCEED INFORMA PAUPERIS |  |

COMES PETITIONER, KELLY MILLER, IN PRO SE, verifying petitioner meets all KRS chapter 31 requirements for indigence hereby requests this honorable court grant petitioners MOTION TO PROCEED IN FORMA PAUPERIS with petitioners appeal to the circuit court for district case 12-M-00319 based upon petitioners indigence WHEREAS, supporting indigent affidavits of Petitioners economic status is validated by the following attached affidavits.

Exhibit A - Petitioners oath of indecency, Exhibit B – 2013 Poverty Guidelines, Exhibit C - Food Stamp recipient, Exhibit D – Unemployment Insurance Statement, Exhibit E- Statement of Indigence completed by Judge Profitt, Exhibit F - Order of Indigence signed by Judge Profitt, Exhibit G – Statement of ESG Phase II program participation for housing. According to KRS chapter 31 the attached affidavits support petitioners claim of indulgence thereby validating petitioner as indigent and by law granted all rights therein.

Respectfully Submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

KELLY MILLER, IN PRO SE

Kelly Miller

P.O. Box 492

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(606) 233-2165

**NOTICE:**

The Apelles will hereby take notice that the foregoing Motion to Proceed In Forma Pauperis with attached affidavits and Order to Proceed In Forma Pauperis from Breathitt District court to Circuit Court will be brought on for hearing before \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_court on the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_, 2013 at the hour of 9:00a.m.or as soon thereafter as counsel may be heard.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kelly Miller, In Pro Se

**CERTIFICATE:**

I hereby affirm copies of the foregoing MOTION TO PROCEED IN FORMA AUPERIS with attached affidavits and Order to Proceed In Forma Pauperis were delivered to the following parties this \_\_\_\_ day of July 2013.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kelly Miller

Breathitt Circuit Court Clerk

Breathitt County Justice Center

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Jackson, KY 41339

Hon John Shackleford

Perry County Attorney

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Hon Eric D. Hall

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Hon Judge Kenneth R. Profitt

Powell County District Judge

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