

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT HOLMES, III

Appellant,

vs.

LAS VEGAS METROPOLITAN

POLICE DEPARTMENT,

Case No. : 71680

Appeal from the Eighth Judicial District

Court, The Honorable Douglas E. Smith

Presiding

**FILED**

DEC 13 2016

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT

BY  DEPUTY CLERK

MOTION FOR WAIVER OF \$ 500 Bond DUE TO INDIGENT Appellant

Robert Holmes III pro se

4657 swaying Ferns Drive

Las Vegas Nevada 89147

702-758-0228

Appellant in pro se

**RECEIVED**

DEC 12 2016

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

16-38484

Appellant Robert Holmes III Filed this motion to ask This Honorable Court to waive his \$500 bond fee that is required to be paid to the Eighth Judicial District Court. Appellant is unemployed and he has no income to pay the bond fee. Appellant Borrowed the \$250 dollars to pay the filing fee from his father who is on a fixed income. Appellant was incarcerated for 7 years, he was told by the Honorable Judge that all the defendants in this forfeiture case did not have to refile a Forma Pauperis Due to there income status of being indigent. This was stated by The Honorable Judge Douglas Smith In the September court hearing for the newly refiled summary judgment motion. The Appellant has no income, and he asks this court to Waive the \$500 bond fee that is suppose to be payed to the Eighth Judicial District Court. The Appellant has a signed Affidavit Attached hereto Ex 1 The Appellant has also filed a new Forma Pauperis back down in the eighth Judicial District Court. The Appellant had a question about the tolling while this case was on appeal for the four years At the Nevada Supreme Court. He was not sure if he had to reapply for Forma Pauperis, and if he does, which he has, he would ask this court to not dismiss his appeal due to him being indigent.

**SUBMITTED By**

Robert Holmes III

x 

Date December 9, 2016

4657 Swaying Ferns Dr Las Vegas Nevada 89147

**AFFIDAVIT OF Robert Holmes III**

**State of Nevada**

**ss:**

**County of Clark**

I Robert Holmes III first duly  
sworn deposes and says;

1. I am the Appellant in this instant case.
2. That I am not working or earning any money.
3. That I am indigent and unable to pay the Bond fee.
4. That I live with my father Robert Holmes Jr at 4657 SWAYING FERNS DR. 89147 LV NV.
5. That I have been searching for a job but the problem is my felony convictions.
6. That my father is paying for my cost of living
7. That I was released from prison on July, 22, 2015 after doing 7 years of prison time.

**Dated December 9, 2016**

**Robert Holmes III**

x 

EX 1

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing MOTION FOR WAIVER OF \$ 500 Bond Fee was sent to the Nevada Supreme Court on the 9<sup>th</sup> day of December, 2016. I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid ,addressed to:

Marquis Aurbach Coffing


Micah S. Echols, Esq.

Adele V. Karoum, Esq .

10001 park Run Drive

Las Vegas Nevada 89145

By Robert Holmes III

x 

Dated December 9<sup>th</sup> 2016

PIFP

Electronically Filed  
12/09/2016*Heather D. Hume*  
CLERK OF THE COURT

Name: Robert Holmes III  
 Address: 4657 Swapping Ferns Dr  
 City, State, Zip: Las Vegas Nevada 89147  
 Phone: 702-758-0228  
 Email: Robert.Holmes.III.23@Gmail.com  
 Self-Represented

DISTRICT COURT  
CLARK COUNTY, NEVADA

LAS Vegas Metropolitan Police  
Department Plaintiff,

CASE NO.: 07A537416  
 DEPT: VIII

vs.

Robert Holmes III  
 Defendant.

Application to Proceed in Forma Pauperis

Pursuant to NRS 12.015, and based upon the information contained in this Application and Affidavit, I request permission from this Court to proceed without paying filing fees, or other costs and fees as provided in NRS 12.015 because I lack sufficient financial ability.

I understand that if approved, the order allowing me to proceed in forma pauperis will be valid for one year. I will be required to file a new Application to Proceed in Forma Pauperis if I need further filing fees and court costs and fees waived after one year.

EMPLOYMENT: (☒ check one)

☒ I am unemployed.

☐ I am employed. My employer is \_\_\_\_\_ and my job title is \_\_\_\_\_.

☐ I am self-employed. The name of my business is \_\_\_\_\_.

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Personal Income (write "0" for any income you do not have)		
A	Monthly Wages from Employment (before taxes)	\$ 0
B	Monthly Tip Income	\$ 0
C	Monthly Unemployment Benefits	\$ 0
D	Public Benefits/Assistance received each month <input type="checkbox"/> TANF <input type="checkbox"/> SSD <input type="checkbox"/> SSI <input type="checkbox"/> food stamps <input type="checkbox"/> other: _____	\$ 0
E	Social Security	\$ 0
F	Retirement / Pension	\$ 0
G	Monthly Child Support received	\$ 0
H	Other: _____	\$ 0
<b>TOTAL INCOME</b> (add lines A-H)		\$ 0

Household Information		
A	How many adults (18 and up) live in the home (include yourself)?	4
B	How many children (under 18) live with you?	0
<b>TOTAL HOUSEHOLD SIZE</b> (add A+B)		4

Household Income		
List the names of the adults you live with and their estimated monthly earnings:		
Name: <u>Robert Holmes Jr</u>	Relationship: <u>Father</u>	\$ <u>2000</u> <u>month</u> <u>508.10 / week</u>
Name: <u>Gina Bastwick</u>	Relationship: <u>Father's Girlfriend</u>	\$ <u>1500</u> <u>A month</u>
Name: <u>Bastwick Jordan</u>	Relationship: <u>Brother</u>	\$ <u>0</u>

Monthly Expenses (write "0" for any expense you do not have)		
A	Rent / Mortgage	\$ 0
B	Utilities (electricity, gas, phone, other utilities)	\$ 0
C	Food	\$ 0
D	Child Care	\$ 0
E	Medical Expenses (including health insurance)	\$ 0
F	Transportation (insurance, gas, bus fare, etc.)	\$ 0
G	Other: _____	\$ 0
<b>TOTAL EXPENSES</b> (add lines A-G)		\$ 0

Assets (write "n/a" and "0" for any assets you do not have)		
Asset	What It's Worth	What you Owe
Checking Account	\$ 0	n/a
Savings Account	\$ 0	n/a
Car (year/make/model: _____)	\$ 0	\$ 0
House / Real Estate You Own (address: _____)	\$ 0	\$ 0
Other: 0	\$ 0	\$ 0

### CREDIT CARDS.

Do you have a credit card that you can use to charge the filing fee?

☒ No

☐ Yes

☐ Yes, but my current balance is \$ \_\_\_\_\_

### Declaration in Support of Request to Proceed In Forma Pauperis

Briefly explain your current financial situation and why you are unable to pay the filing fee. For example, if you are unemployed explain why, for how long, and what efforts you are making to obtain employment. If you are temporarily living with a friend or relative explain for how long and how they help you financially.

*I live with my father and his girlfriend  
They pay the bills. I am indigent  
my father is on a fix income*

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

12-9-2016  
Date

Robert Holmes III  
Printed Name

Robert Holmes III  
Signature