

Ted Kaczynski's August 1 Motion to Return His Property

August 1 2003

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DEFENDANT THEODORE JOHN KACZYNSKI, PRO SE

PRISONER No. 04475-046

U.S. PENITENTIARY MAX

P.O. Box 8500

FLORENCE CO 81226-8500

TELEPHONE 719-784-9464

ORIGINAL
FILED

AUG 01 2003

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

THEODORE JOHN KACZYNSKI,
Defendant

CASE NUMBER

CR S-96-259 GEB

AFFIDAVIT IN SUPPORT OF MOTION FOR
PERMISSION TO APPEAL IN FORMA PAUPERIS
(Following Form 4, Appendix of Forms, Fed. R.
App. P., edition of January 1, 2003.)

I swear 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 under penalty of perjury
under United States laws that my

1.

answers on this form are true and correct.
(28 U.S.C. §1746; 18 U.S.C. §1621.)

Executed on July 26, 2003.

Signed: Theodore John Kaczynski
THEODORE JOHN KACZYNSKI

My issues on appeal are: I appeal the District Court's refusal to entertain my Motion for Return of Property under its jurisdiction ancillary to jurisdiction over my criminal case, as part of the criminal case, and under the criminal case number CR S-96-259 GEB.

(a) 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.

2.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	0	N/A	0	N/A
Self-employment	0	N/A	0	N/A
Income from real property (such as rental income)	0	N/A	0	N/A
Interest and dividends	0	N/A	0	N/A
Gifts	\$74.75	N/A	\$74.75	N/A
Alimony	0	N/A	0	N/A
Child support	0	N/A	0	N/A
Retirement (such as social security, pensions, annuities, insurance)	0	N/A	0	N/A
Disability (such as social security, insurance payments)	0	N/A	0	N/A
Unemployment pymts.	0	N/A	0	N/A
Public-assistance (such as welfare)	0	N/A	0	N/A
Other (specify): NONE	0	N/A	0	N/A
Total monthly income:	\$74.75	N/A	\$74.75	N/A

3.

NOTE ON GIFTS. Gifts are highly irregular and unpredictable. Consequently, the sum listed for "Amount expected next month" is necessarily uncertain.

In calculating average monthly income from gifts I have included a sum of \$100⁰⁰ received from the University of Michigan on December 27, 2002, even though this sum strictly speaking is not a gift, or income of any kind; it simply covers my expenditures for postage on papers that I send from time to time to the University of Michigan's Special Collections Library.

Similarly, under "average monthly expenses," below, I have included the amount I spend on postage in sending papers to the University of Michigan's Special Collections Library, even though this amount strictly speaking is not an expense since it is covered by the University of Michigan.

These procedures simplify the accounting, and make no material difference for the purposes of this Affidavit.

2. List your employment history, most recent employer first. (Gross monthly pay is

4.

before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Prince Castle, Inc.	Addison, IL	1978-79	\$750 (rough guess)
Foam Cutting Engineers	Addison, IL	1978	\$700 (rough guess)
Name of Firm not remembered	Oakbrook, IL	1973	\$700 (rough guess)
University of California, Berkeley	Berkeley, CA	1967-69	\$760 (rough guess)
University of Michigan	Ann Arbor, MI	1962-65	\$200 (rough guess)

The foregoing employment history omits a number of minor, very short-term jobs; it would be impractical to try to list all such jobs here. More precise information than what is given above, such as employers' exact addresses and exact value of gross monthly pay, is not readily available.

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

N/A (I have no spouse.)

5.

4. How much cash do you and your spouse have? \$ 0 (assuming that "cash" means actual physical money, such as dollar bills or coins).

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
U.S. Penitentiary Administrative Maximum Facility	Commissary account	\$ 22.16 as of 7/23/03	N/A

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.

I have attached a statement of my account at the U.S. Penitentiary Administrative Maximum Facility, certified by Mr. V. Sudlow, Case Manager.

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

Home	(value)		
None	N/A		
Other real estate	(value)		
None	N/A		
Motor vehicle #1	(value)	Motor vehicle #2	(value)
None	N/A	None	N/A

Other assets (value)

My only other assets consist of property in possession of the U.S. Government, namely, the property of which I am seeking the return in my Motion for Return of Property. Included in this property is a .30-06 hunting rifle, which might be worth about \$150 (rough guess). I believe that the rest of the property is of negligible intrinsic financial value (though the documents are of great value as sources of information). I have no idea what the property might be worth to collectors due to its "celebrity" value. In any event, for obvious reasons, I cannot sell any of this

7.

property to raise money for purposes of this appeal.

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

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
None	N/A	N/A

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
None	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 to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	None	N/A

8.

	You	Your Spouse
Are real-estate taxes included? N/A N/A <input type="checkbox"/> Yes <input type="checkbox"/> No	N/A	N/A
Is property insurance included? N/A N/A <input type="checkbox"/> Yes <input type="checkbox"/> No	N/A	N/A
Utilities (electricity, heating fuel, water, sewer and telephone)	None	N/A
Home maintenance (repairs and upkeep)	None	N/A
Food	None	N/A
Clothing [exercise shoes]	\$ 5.00 (rough estimate)	N/A
Laundry and dry cleaning	None	N/A
Medical and dental expenses	None	N/A
Transportation (not including motor vehicle payments)	None	N/A
Recreation, entertainment, newspapers, magazines, etc.	None	N/A
Insurance (not deducted from wages or included in mortgage payments)	None	N/A
Homeowner's or renter's	None	N/A
Life	None	N/A
Health	None	N/A
Motor Vehicle	None	N/A

	You	Your Spouse
Other: None	None	N/A
Taxes (not deducted from wages or included in mortgage payments) (specify): None	None	N/A
Installment payments	None	N/A
Motor Vehicle	None	N/A
Credit card (name): None	None	N/A
Department store (name): None	None	N/A
Other: None	None	N/A
Alimony, maintenance, and support paid to others	None	N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	None	N/A
Other (specify):		N/A
Postage stamps	\$ 42.00 (approximate average)	N/A
Miscellaneous (includes, e.g., vitamin pills, Bic pens, 9"x12" envelopes, phone calls)	\$ 31.00 (approximate average)	N/A
Total monthly expenses:	\$ 78.00 (approximate average)	N/A

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. N/A

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? \$ N/A If yes, state the attorney's name, address, and telephone number: N/A

11. Have you paid — or will you be paying — anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with case, including the completion of this form? ☒ Yes ☐ No If yes, how much?

I am charged 10¢ per page for photocopies. I spent more than \$41.40 on photocopying in connection with the filing of my Motion for Return of Property. It is impossible to predict how much more I will have to spend on photocopying in connection with this case.

11.

The money for photocopying is paid to
United States Penitentiary Administrative Maximum
Facility

P.O. Box 8500

Florence CO 81226-8500

Telephone: 719-784-9464

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

I owe restitution of more than fifteen million dollars to my alleged victims, as decreed by the District Court in my criminal cases. See case No. CR-96-259-GEB, Eastern District of California, Reporter's Transcript, 5/4/98, at 45.

In addition, I owe a total of twenty-one million dollars as a result of civil judgments in favor of my alleged victims Connie, Wilson, and Gilbert Murray, and Nicklaus Suino. Civil Action No. 96-74348-DT, U.S. District Court, Eastern District of Michigan. Cases No. CIV-5-96-1574-GEB and CIV-5-98-606-GEB, U.S. District Court, Eastern District of California.

13. State the address of your legal

12.

residence.

The address of my legal residence is:

THEODORE JOHN KACZYNSKI

04475-046

U.S. PENITENTIARY MAX

P.O. Box 8500

FLORENCE CO 81226-8500

Your daytime phone number: I have no personal telephone, but the Telephone number of the prison where I am incarcerated is 719-784-9464.

Your age: 61 years

Your years of schooling: grades 1 through 12 (but grades 6 and 11 were skipped), 4 years of college, and 5 years of graduate school. I have a Ph.D.

Your social-security number: 388-38-8788

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

Executed on July 26, 2003.

Theodore John Kaczynski

THEODORE JOHN KACZYNSKI

The Ted K Archive

Ted Kaczynski's August 1 Motion to Return His Property
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<thesmokinggun.com/documents/crime/unabomber-wants-his-stuff-back>

www.thetedkarchive.com