

No. \_\_\_\_\_  
[leave blank, case number will be assigned later]

[insert caption used in original proceeding, *i.e.*, *In re* [*name of relator*]]

**Affidavit of Indigence**

[sample; for use in original proceedings filed in court of appeals;  
may be used by incarcerated inmate; file with court-of-appeals  
clerk with or before filing original-proceeding petition]

I, [relator's name], swear [or affirm] the following:

1. I have filed a petition in the original proceeding described above.
2. I can pay the following amount of court costs in this original proceeding, which includes the \$125 filing fee for this original proceeding and the \$10 or \$15 filing fee for each motion I may file in this original proceeding: [describe in detail amount, if any, you can pay].
3. The nature and amount of my current employment income is [describe in detail].
4. The nature and amount of my current government-entitlement income is [describe in detail].
5. The nature and amount of my current income, other than that described in my answers to 3 and 4 above, is [describe in detail].
6. The income of my spouse is [describe in detail]. My spouse's income [is or is not] available to me.
7. I own the following real property: [describe in detail].
8. I own the following personal property: [describe in detail].
9. I have the following amount of cash: [describe in detail].
10. I have the following amounts of funds on deposit that I may

withdraw: [describe in detail].

11. I have the following assets, other than those described in my answers to 3 through 10 above: [describe in detail].

12. I have [provide number] dependants. My relationship to each of them is [describe in detail].

13. The nature and amount of my debts are [describe in detail].

14. The nature and amount of my monthly expenses are [describe in detail].

15. My ability to obtain a loan for court costs is [describe in detail].

16. An attorney [is or is not] providing free legal services to me without a contingent fee.

17. An attorney [has or has not] agreed to pay or advance court costs.

18. [If the trial-court proceedings were recorded electronically] I [have or lack] the skills and access to equipment necessary to prepare the appendix required by Texas Rule of Appellate Procedure 38.5(d).

---

[Signature of party claiming indigence, who is swearing or affirming information given above]

### **Unsworn Declaration of Incarcerated Inmate**

I, [insert name and inmate identifying number from Texas Department of Criminal Justice or county jail], being presently incarcerated in [insert Texas Department of Criminal Justice unit name or county jail name] in \_\_\_\_\_ County, Texas, declare under penalty of perjury that the foregoing is true and correct.

Executed on [date].

---

[Signature of party claiming indigence, who is providing information given above]