

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Peter Carl Bormuth — PETITIONER
(Your Name)

VS.

County of Jackson — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Michigan Court of Appeals - Bormuth v. West Bay - No. 316298

Michigan Supreme Court - Bormuth v. West Bay 865 NW 2d 17
498 Mich 852 (2015)

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

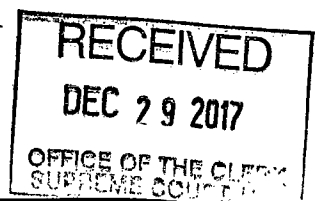
The appointment was made under the following provision of law: _____

_____, or

a copy of the order of appointment is appended.

Peter Carl Bormuth

(Signature)



**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Peter Bormuth, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

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	\$ <u>0</u>	\$ <u>NA</u>	\$ <u>0</u>	\$ <u>NA</u>
Self-employment	\$ <u>800.⁰⁰</u>	\$ _____	\$ <u>800.⁰⁰</u>	\$ _____
Income from real property (such as rental income)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Interest and dividends	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Gifts	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Alimony	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Child Support	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Unemployment payments	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Public-assistance (such as welfare)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Other (specify): _____	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Total monthly income:	\$ <u>800.⁰⁰</u>	\$ _____	\$ <u>800.⁰⁰</u>	\$ _____

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
NA			\$ _____
			\$ _____
			\$ _____

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

Employer	Address	Dates of Employment	Gross monthly pay
NA			\$ _____
			\$ _____
			\$ _____

4. How much cash do you and your spouse have? \$ 900.00

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
Flagstar Bank	Savings	\$ 1,800.00	\$ NA
		\$ _____	\$ _____
		\$ _____	\$ _____

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

Home
Value _____

Other real estate
Value _____

Motor Vehicle #1
Year, make & model 2005 Toyota Prius
Value \$3000.00

Motor Vehicle #2
Year, make & model _____
Value _____

Other assets
Description 1997 Bell Merlin II canoe (Kevlar)
Value \$500.00

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
NA	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
NA	_____	_____
_____	_____	_____
_____	_____	_____

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, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home) Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ 0*	\$ _____
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0*	\$ _____
Home maintenance (repairs and upkeep)	\$ 0	\$ _____
Food	\$ 200.00	\$ _____
Clothing	\$ 0	\$ _____
Laundry and dry-cleaning Detergent	\$ 5.00	\$ _____
Medical and dental expenses Chiropractic	\$ 100.00	\$ _____

* see extra pages

	You	Your spouse
Transportation (not including motor vehicle payments) gas	\$ 100. ⁰⁰	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ _____
Life	\$ 0	\$ _____
Health	\$ 0	\$ _____
Motor Vehicle	\$ 183. ⁰⁰ *	\$ _____
Other: _____	\$ 0	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ 0	\$ _____
Installment payments		
Motor Vehicle	\$ 0	\$ _____
Credit card(s)	\$ 0	\$ _____
Department store(s)	\$ 0	\$ _____
Other: _____	\$ 0	\$ _____
Alimony, maintenance, and support paid to others	\$ 0	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement) gas	\$ see Transportation above. *	\$ _____
Other (specify): <u>Legal costs (filing fees</u> <u>copying costs, mailing costs)</u>	\$ 200. ⁰⁰	\$ _____
Total monthly expenses:	\$ 788. ⁰⁰	\$ _____

* see extra pages

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:

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 this case, including the completion of this form?

Yes No

If yes, how much? _____

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

See extra pages

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

Executed on: December 21, 2017

Peter Carl Bonth
(Signature)

App. No. _____

**In the
SUPREME COURT OF THE UNITED STATES**

PETER CARL BORMUTH,

Petitioner

v.

COUNTY OF JACKSON,

Respondent

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Additional information

1. Self Employment

The petitioner walks dogs Monday through Friday, roughly between the hours of 11:00 am and 2:00 pm, at a rate of \$20 an hour (\$10. a half hour) for owners unable to return home from work to walk their pets.

8. Rent & Utilities

The parents of the petitioner's best friend from childhood, Duane & Shirley Kleinschmidt, have kindly allowed the petitioner to use an upstairs apartment in the building they own at 142 West Pearl St., Jackson, Michigan without payment of rent or utilities. The apartment was formerly used by their granddaughter, but she married and moved to Philadelphia with her new husband leaving the apartment vacant, and the petitioner was invited to move in. It is due to their generosity that the petitioner can focus on his literary, environmental, political, and due process interests without fear of homelessness.

8. Motor Vehicle Insurance

The petitioner is not currently making these monthly payments. Michigan has the highest automobile insurance rates in the nation and the petitioner is in circuit court in Michigan challenging the excessive rates and rapacious insurance industry practices under the 'fair and equitable' doctrine laid out by the Michigan Supreme Court in *Shavers v. Attorney General*, 267 NW2d 72, 402 Mich 554 (1978), which expanded the due process protections of this Court's ruling in *Bell v. Burson*, 402 U.S. 535 (1971).

8. Regular Expenses For Operation of Business

The only business expense the petitioner has is gas for his vehicle for driving to the residence of the dogs he walks. This expense is already listed under transportation.

12. Costs of Printing in Booklet Format

The petitioner cannot afford to print this case in the booklet format required by Supreme Court Rule 33. The Magistrate's R & R was 40 pages. The District Court Order was 18 pages. The 6th Circuit panel decision was 64 pages. The *en banc* order was 1 page and the *en banc* decision was 73 pages. The transcribed Michigan Senate & House Journals are only 11 pages, but in the booklet format, they would be 33 pages. The transcribed Commissioner commands are 2 pages. And the petition itself is 48 pages.

The rough quote the petitioner received from Cockle Legal Briefs was \$7,000. The rough quote the petitioner received from Counsel Press was \$11,000. The rough quote the petitioner received from Brescia's Printing Services was only \$2,000 but the petitioner was required to prepare all the documents in the booklet format. The quote the petitioner received from the typist was five dollars a page (\$1,500.). The petitioner considered self publishing the booklet, as he did on two other occasions when he petitioned this Court, but typing costs (\$1500.) and the costs to have Kinkos or Office Max print the petition and appendix (\$1,000.) were still formidable. The petitioner simply does not have the financial capacity to shoulder the burden of those costs at this time.

12. Settlement

The petitioner wants the Court to know that in 2015 the petitioner received a modest settlement in a case (under \$50,000.), and after paying taxes, he used that money to self-finance an unsuccessful run for the 64th District seat in the Michigan House of Representatives. A request for a recount resulted in litigation that is now before the 6th Circuit Court of Appeals (see *Bormuth v. Ruth Johnson, Secretary of State*, Case # 17-1124) and the filing fees and penalties associated with that case and other litigation have eaten up the residual funds remaining from that settlement.

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

Peter C. Bormuth

Peter C. Bormuth

Subscribed and sworn before me, a notary public, on this 21th day of December, 2017.

Linda Koziol

Notary Public

State of Michigan, County of Jackson

My Commission Expires: 6-16-2021

Acting in Jackson County

LINDA KOZIOL
NOTARY PUBLIC, Jackson County, MI
My Commission Expires June 16, 2021

