

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

N. Charles Podaras — PETITIONER  
(Your Name)

VS.

City of Menlo Park, et al. — 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):

United States District Court, Northern District of California


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

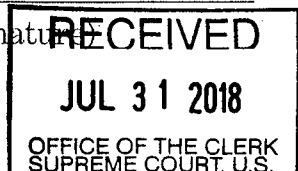
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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.

(Signature) 



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

I, N. Charles Podaras, 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
[ * I have no spouse * ]				
Employment	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Self-employment	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Income from real property (such as rental income)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Interest and dividends	\$ <u>1.00</u>	\$ _____	\$ <u>1.00</u>	\$ _____
Gifts	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Alimony	\$ <u>n/a</u>	\$ _____	\$ <u>n/a</u>	\$ _____
Child Support	\$ <u>n/a</u>	\$ _____	\$ <u>n/a</u>	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>n/a</u>	\$ _____	\$ <u>n/a</u>	\$ _____
Disability (such as social security, insurance payments)	\$ <u>n/a</u>	\$ _____	\$ <u>n/a</u>	\$ _____
Unemployment payments	\$ <u>n/a</u>	\$ _____	\$ <u>n/a</u>	\$ _____
Public-assistance (such as welfare)	\$ <u>n/a</u>	\$ _____	\$ <u>n/a</u>	\$ _____
Other (specify): _____	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
<b>Total monthly income:</b>	\$ <u>1</u>	\$ _____	\$ <u>1</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
none			\$
			\$
			\$

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
n/a			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 35.00  
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
checking	\$ 0.32	\$
checking	\$ 0.01	\$
checking	\$ 4.24	\$

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 1995 VW Cabrio  
Value \$300

☐ Motor Vehicle #2  
Year, make & model \_\_\_\_\_  
Value \_\_\_\_\_

☐ Other assets  
Description \_\_\_\_\_  
Value \_\_\_\_\_

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
n/a	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
none	_____	_____
_____	_____	_____
_____	_____	_____

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)	\$ see (12)	\$ _____
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 60	\$ _____
Home maintenance (repairs and upkeep)	\$ 0	\$ _____
Food	\$ 300	\$ _____
Clothing	\$ 0	\$ _____
Laundry and dry-cleaning	\$ 0	\$ _____
Medical and dental expenses	\$ 10	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 100	\$
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	\$ 0	\$
Other: <u>combined auto / renter's</u>	\$ 203	\$
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>cannot pay 150K\$+ FED &amp; CA (past wipeout of IRA from premature distributions due to legal costs and no employment)</u>	\$ <<< see	\$
Installment payments		
Motor Vehicle	\$ n/a	\$
Credit card(s) see (12)	\$ n/a	\$
Department store(s)	\$ n/a	\$
Other: _____	\$ n/a	\$
Alimony, maintenance, and support paid to others	\$ n/a	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ n/a	\$
Other (specify): _____	\$ n/a	\$
<b>Total monthly expenses:</b>	\$ 673	\$

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? \_\_\_\_\_

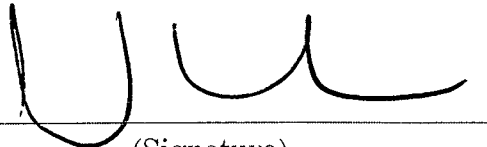
If yes, state the person's name, address, and telephone number:

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

I have not obtained steady employment since 2006, apparently as a consequence resulting from my 2005 wrongful conviction (even though reversed in 2006 with the superior court eventually in 2009 declaring my innocence as unquestioned). My credit cards ~80K\$ debt are against limits, and have been for years, in large part due to the legal costs associated with defending against the original malicious prosecution; and subsequent appeal; expenses from which I have never recovered. I am only able to service debt through occasional but declining small financial support provided by an elderly relative. I am receiving government assistance in the form of SNAP and GA, and have multiple significant medical issues incl. PTSD diagnosis. I have been without a home since 2012; homeless and indigent throughout duration of district court action and 9th Cir. appeal; am currently sleeping on a floor, but will soon have to move again, with nowhere to go.

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

Executed on: \_\_\_\_\_ July 24 \_\_\_\_\_, 2018

  
(Signature)