

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

BISMARK KWAKU TORKORNOO — PETITIONER
(Your Name)

VS.

HELWIG Esq. 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):

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

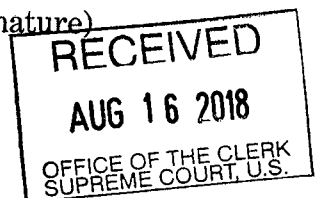
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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, BISMARK KWAKU TORKORNOO, 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>4,400</u> | \$ <u>N/A</u> | \$ <u>4,400</u> | \$ <u>N/A</u> |
| Self-employment | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Income from real property (such as rental income) | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Interest and dividends | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Gifts | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Alimony | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Child Support | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Retirement (such as social security, pensions, annuities, insurance) | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Disability (such as social security, insurance payments) | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Unemployment payments | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Public-assistance (such as welfare) | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Other (specify): _____ | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</u> |
| Total monthly income: | \$ <u>4,400</u> | \$ <u>N/A</u> | \$ <u>N/A</u> | \$ <u>N/A</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 |
|---------------------|-------------------------------------|---------------------|-------------------|
| Envoy of Woodbridge | Jefferson Davis Hwy, Woodbridge, Va | 3/29/18 | \$ 4,400 |
| | | | \$ |
| | | | \$ |

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? \$
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 | \$ 88.74 xx | \$ |
| Saving | \$ 20.01 | \$ |
| | \$ | \$ |

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

☐ Home
Value N/A

☐ Other real estate
Value N/A

☒ Motor Vehicle #1
Year, make & model TOYOTA CAMRY
Value -14,616.25

☐ Motor Vehicle #2
Year, make & model
Value

☐ Other assets
Description N/A
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 |
|---------------------------------------|--------------------|----------------------------|
| John Monahan | \$ 5,041,43 | \$ N/A |
| Mary Torkornoo | \$ 1,700 | \$ 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 |
|------|--------------|-----|
| GT | Daughter | 15 |
| AS | Daughter | 18 |
| | | |

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) | \$ 1,550 | \$ |
| 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) | \$ 260 | \$ |
| Home maintenance (repairs and upkeep) | \$ | \$ |
| Food | \$ 280 | \$ |
| Clothing | \$ 40 | \$ |
| Laundry and dry-cleaning | \$ 20 | \$ |
| Medical and dental expenses | \$ 100 | \$ |

| | You | Your spouse |
|--|-----------|-------------|
| Transportation (not including motor vehicle payments) | \$ _____ | \$ _____ |
| Recreation, entertainment, newspapers, magazines, etc. | \$ _____ | \$ _____ |
| Insurance (not deducted from wages or included in mortgage payments) | | |
| Homeowner's or renter's | \$ _____ | \$ _____ |
| Life | \$ _____ | \$ _____ |
| Health | \$ _____ | \$ _____ |
| Motor Vehicle | \$ 141.41 | \$ _____ |
| Other: _____ | \$ _____ | \$ _____ |
| Taxes (not deducted from wages or included in mortgage payments) | | |
| (specify): _____ | \$ _____ | \$ _____ |
| Installment payments | | |
| Motor Vehicle | \$ 584.31 | \$ _____ |
| Credit card(s) | \$ _____ | \$ _____ |
| Department store(s) | \$ _____ | \$ _____ |
| Other: IRS | \$ 100.00 | \$ _____ |
| Alimony, maintenance, and support paid to others | \$ 830.76 | \$ _____ |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ _____ | \$ _____ |
| Other (specify): _____ | \$ _____ | \$ _____ |
| Total monthly expenses: | \$ _____ | \$ _____ |

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.

Refer to attached supplemental Affidavit of Indegency and supporting financial documents for further why I cannot pay the costs of this case.

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

Executed on: 8-14-, 2018


(Signature)

IN THE UNITED STATES SUPREME COURT

*

BISMARCK KWAKU TORKORNOO

*

Petitioner,

*

Case No:

v.

*

NINA HEL WIG, ET AL,

*

Respondents.

*

**PETITIONER'S SUPPLEMENTAL AFFIDAVIT IN SUPPORT OF MOTION TO
PROCEED IN FORMA PAUPERIS**

I, Bismark Torkornoo, hereby state as follows:

1. I am the petitioner of the above-captioned case residing in Virginia.
2. My monthly rent is one thousand five hundred and fifty dollars (\$1,550). Appendix A page 1.
3. I am currently working at Envoy of Woodbridge in Virginia. Appendix A pages 2-7.
4. The writ was filed along with Appendixes 1-13 and Appendixes A-I. Appendixes A is my financial documents in support the affidavits in support motion to proceed in pauperis.
5. This affidavit is verifying the facts regarding my inability to pay three dollars (\$300) docketing fee required.
6. I am currently over paying child support because my motion to modify child support is still pending in the state court according to Appendix I [Docket Number 662 -

663]. It was filed on 5/22/2018 since my second daughter emancipated at the legal age of 18 on 5/15/2018.

7. My monthly gross income is approximately four thousand four hundred dollars \$4,400 before taxes.
8. My net income is approximately two thousand two hundred dollars (\$2,200) after taxes, employee benefits deductions and child support garnishments, Appendix A pages 2-7.
9. The monthly child support payments garnished from my paychecks is eight hundred and thirty dollars seventy-six cents (\$830.76). Appendix A
10. I was working previously for Integrity Home Health, Inc. previously located in Alexandria, Virginia with annual income of fifty-two thousand five hundred dollars (\$52,500) without employee benefits deductions, Appendix A pages 8-9. Integrity Home Health, Inc. was sold and had since moved to Richmond, VA.
11. My bank statement is at Appendix A pages 10-14 with current balance of twenty dollars one cent (\$20.01) as of 8/12/2018.
12. My monthly car payment is five hundred eighty-four dollars thirty-one cents (\$584.31) with three thousand one hundred and fifty-five, ninety-three cents (\$3,155.93) in late fees, interests and overdue payments. Appendix A pages 15-16.
13. My monthly car insurance payment is one hundred and forty-one, forty-one cents (\$141.41) each month and is overdue pending policy cancelation because I owe three hundred and seven dollars eighty-two cents (\$307.82). Appendix A pages 17-18.
14. I owe the Internal Revenue Service in the amount of nine thousand five hundred seventy-eight dollars, eight cents (\$9,578.08). App. 19-26.
15. I am currently delinquent and have recently made payment arrangements with the Internal Revenue Service and got approved to pay one hundred and twenty-nine dollars (\$129) a month pending the approval notice not the \$100 recorded on IRS delinquent documents. Appendix A page 19.

16. I currently owe Comcast an amount of two hundred and sixty dollars, sixty-nine cents (\$260. 69) in previous high-speed monthly internet charges. Appendix A pages 27-28.
17. My monthly gas bill is approximately forty-two dollars (\$42) with balance two hundred and fifty-five, twenty-eight cents owed. Appendix A page 29.
18. My monthly electric bill is approximately eighty dollars (\$80) with overdue amount owed is one hundred and sixty-seven dollars (\$167). Appendix A page 30.
19. My monthly groceries and laundry cost approximately \$300.
20. Monthly gas for my car is approximately \$60.
21. Monthly cell phone service cost is \$40.
22. Medical and prescriptions is approximately \$100.
23. My monthly expenses are approximately \$2,278.48, and my monthly net income is \$2,200.
24. I am negative \$78.48 and even more when unexpected expenditures do occur.
25. However, Mr. John Monahan Esq., the court appointed trustee holding and refused to pay what he thinks was my share of the proceeds after selling the former joint marital property to Ms. Torkornoo since June 2013.
26. Mr. Monahan misrepresented material fact in support of his appraiser of the real property in question to reduce the value of it under the pretext that the heating and air conditioning system was replaced in the amount of \$5,000. Appendix 14 see Exhibits 38, 40-41 to contradict the court's findings and order at Exhibit 44.
27. The heating and air conditioning system was not replaced instead, it was repaired contradicting court documents and order showing that all repairs of that real property cost Ms. Torkornoo \$470. Appendix 14 see Exhibits 44.
28. Mr. Monahan evaded court order at Appendix 14 [*see* Exhibit 29] for his mandate maintain fairness. I believe my fair share in that real property at that time was more than twenty thousand dollars (\$20,000).

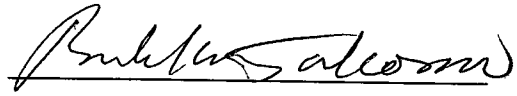
29. I believe Mr. Monahan accounting fraud in the sale contract of the real property in question is partially responsible for my financial burden.
30. Even though promised Mr. Monahan to deposit my share of the proceed into the Montgomery County Circuit Court's Registry in my name, he had not done so since 2013. There is nothing on docket that reflect filing of the payment of his accounting showing at Appendix 12 [Exhibit 48] in the amount of \$5, 041.43.
31. I do believe Judge Cynthia Callahan's coordination and unwavering conflict of interest creating a barrier to my due process and equal protect in the state court at my defeat is responsible for my predicament financially. Appendix 6.
32. I am paying for two children child support instead of one for child.
33. My second daughter became 18 years old since May 2018. I filed Motion to Modify child support on 5/22/2018, and that motion still pending according Montgomery Court docket entries showing at Appendix I [Docket no. 662-663].
34. My current child support obligation is \$830.76 each month. Had the child support obligation been reduced consistent with my income in accordance to the law, I should be paying between \$400 and \$450 each month. I am paying \$400 more in child support than expected each month.
35. For the reasons above, I believe it is appropriate to justify a waiver of docketing fee in the amount of three hundred dollars (\$300) to grant my motion to proceed in forma pauperis because of my indigency.
36. A waver of docketing of \$300 will enable my petitioner to be heard.

VERIFICATION

I DO SOLEMNLY DECLARE under the penalties of perjury that the content of the foregoing statements are true to the best of my knowledge, information and belief:

Respectfully,

Date:

A handwritten signature in black ink, appearing to read "Bismark Kwaku Torkornoo", written over a horizontal line.

Bismark Kwaku Torkornoo
3213 Duke St. #235
Alexandria, VA 22314
(240) 552-4756