

18A193

18-6700

No. _____

FILED

OCT 18 2018

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Michael DePietro — PETITIONER
(Your Name)

VS.

Allstate Insurance Co., 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, Michael DePietro, 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		FILED OCT 18 2018 OFFICE OF THE CLERK SUPREME COURT, U.S.
	You	Spouse (Deceased)	You	Spouse (Deceased)	
Employment	\$ <u>none</u>	\$ _____	\$ _____	\$ _____	
Self-employment	\$ <u>none</u>	\$ _____	\$ _____	\$ _____	
Income from real property (such as rental income)	\$ <u>none</u>	\$ _____	\$ _____	\$ _____	
Interest and dividends	\$ <u>none</u>	\$ _____	\$ _____	\$ _____	
Gifts	\$ <u>none</u>	\$ _____	\$ _____	\$ _____	
Alimony	\$ <u>none</u>	\$ _____	\$ _____	\$ _____	
Child Support	\$ <u>none</u>	\$ _____	\$ _____	\$ _____	
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>427</u>	\$ _____	\$ <u>427</u>	\$ _____	
Disability (such as social security, insurance payments)	\$ <u>1,338.71</u>	\$ _____ (veterans benefits)	\$ <u>1,338.71</u>	\$ _____	
Unemployment payments	\$ <u>none</u>	\$ _____	\$ _____	\$ _____	
Public-assistance (such as welfare)	\$ <u>none</u>	\$ _____	\$ _____	\$ _____	
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____	
Total monthly income:	\$ <u>1,765.71</u>	\$ _____	\$ <u>1,765.71</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
Retired			\$
I am 82 y/o.			\$
I haven't worked in			\$
15 years for income other then my farm. I can't maintain my farm due to my injuries			

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
			\$
			\$
			\$

I had \$60,000 and I spent it on this case
with all the court procedures

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
None	\$	\$
	\$	\$
	\$	\$

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

Home - I currently live in.
Value \$230,000

Other real estate None
Value _____

Motor Vehicle #1
Year, make & model Hyundai Sonata, 2010
Value \$3,000

Motor Vehicle #2
Year, make & model None
Value _____

Other assets
Description None
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
<u>None</u>	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
<u>None</u>	_____	_____
_____	_____	_____
_____	_____	_____

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 (deceased)
Rent or home-mortgage payment (include lot rented for mobile home)	<u>Yearly Real estate taxes:</u> \$ <u>1,200</u>	\$ _____
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		
Utilities (electricity, heating fuel, water, sewer, and telephone)	<u>Yearly</u> \$ <u>2,100</u>	\$ _____
Home maintenance (repairs and upkeep)	<u>Yearly</u> \$ <u>1,500</u>	\$ _____
Food	<u>Weekly</u> <u>Yearly</u> \$ <u>65</u> / <u>\$ 3,380</u>	\$ _____
Clothing	<u>Yearly</u> \$ <u>1,150</u>	\$ _____
Laundry and dry-cleaning	<u>None</u>	\$ _____
Medical and dental expenses	<u>V.A. coverage</u> <u>\$ for medical expenses</u>	\$ _____

	You	Your spouse (Deceased)
Transportation (not including motor vehicle payments)	\$ 1,440	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ 4,500	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ none	\$ _____
Life	\$ V.A. Coverage	\$ _____
Health	\$ V.A. Coverage	\$ _____
Motor Vehicle	\$ 800	\$ _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): retirement (in 82 y/o)	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ none	\$ _____
Credit card(s)	\$ none	\$ _____
Department store(s)	\$ none	\$ _____
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ none	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	none because of my injuries	\$ _____
Other (specify): _____	\$ _____	\$ _____
Total monthly expenses: about \$ 1,755	Yearly \$ 21,070	\$ _____

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 am 82 year old, so I am retired. I have no other income
except for my social security and veterans disability, which is not
considered income.

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

Executed on: Oct 23, 2018

Michael DePetrillo
(Signature)