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ORIGINAL
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No. 18-6700

FILED
OCT 10 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.

Michael DePietro
(Signature)

18-6700

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

I, Michael DeReto, 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>none</u>	Spouse (Deceased) \$ _____	\$ _____	Spouse (Deceased) \$ _____
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>	\$ _____

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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 than 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
Value none

☒ 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

none

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

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.

Rent or home-mortgage payment
(include lot rented for mobile home)

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

Utilities (electricity, heating fuel,
water, sewer, and telephone)

Home maintenance (repairs and upkeep)

Food

Clothing

Laundry and dry-cleaning

Medical and dental expenses

You

Yearly Real estate
taxes:

\$ 6,200

Your spouse

(deceased)

\$ _____

yearly

\$ 2,100

\$ _____

yearly

\$ 1,500

\$ _____

weekly yearly

\$ 65 ; \$ 3,380

\$ _____

yearly

\$ 1,150

\$ _____

\$ none

\$ _____

V.A. coverage

\$ for medical

expenses

\$ _____

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

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 De Petru

(Signature)