

No. **18-7953** ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
NOV 07 2018
OFFICE OF THE CLERK

Matthew and Samantha Peterson — PETITIONER
(Your Name)

VS.

Rebecca W. Ross, Senior Assistant Attorney General
for the Division of Children, Youth, and Families, 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: RSA169-C:10, or

a copy of the order of appointment is appended.

Rebecca W. Ross
(Signature)

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

I, Matthew and Samantha Peterson, 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	\$1,024.10	\$0.00	\$1,056.00	\$0.00
Self-employment	\$0.00	\$0.00	\$0.00	\$0.00
Income from real property (such as rental income)	\$0.00	\$0.00	\$0.00	\$0.00
Interest and dividends	\$0.00	\$0.00	\$0.00	\$0.00
Gifts	\$0.00	\$0.00	\$0.00	\$0.00
Alimony	\$0.00	\$0.00	\$0.00	\$0.00
Child Support	\$0.00	\$0.00	\$0.00	\$0.00
Retirement (such as social security, pensions, annuities, insurance)	\$0.00	\$0.00	\$0.00	\$0.00
Disability (such as social security, insurance payments)	\$0.00	\$973.00	\$0.00	\$973.00
Unemployment payments	\$0.00	\$0.00	\$0.00	\$0.00
Public-assistance (such as welfare)	\$0.00	\$0.00	\$0.00	\$0.00
Other (specify): <u>food stamps</u>	\$191.16	\$191.16	\$246.00	\$246.00
Total monthly income:	\$1,215.26	\$1,164.16	\$1,302.00	\$1,219.00

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
T.G.I Fridays	1516 South Willow Street Manchester, NH 03103	6/23/2014-Present	\$1,056.00
Not Applicable	N/A	N/A	\$ 0.00
Not Applicable	N/A	N/A	\$ 0.00

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
Not Applicable	N/A	N/A	\$ 0.00
Not Applicable	N/A	N/A	\$ 0.00
Not Applicable	N/A	N/A	\$ 0.00

4. How much cash do you and your spouse have? \$101.19 as of December 7, 2017 subject to change
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
Direct Express MasterCard (Social Security Disability)	\$ 0.00	\$ 99.80
Elite Visa Card (T.G.I Fridays wages are loaded to this)	\$ 1.39	\$ 0.00
Not Applicable	\$ 0.00	\$ 0.00

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 2002 Toyota Sienna CE Van
Value \$2,360.00 registered to Samantha Peterson
- Motor Vehicle #2
Year, make & model N/A
Value N/A
- Other assets
Description Not Applicable
Value Not Applicable

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
Not Applicable	\$0.00	\$0.00
Not Applicable	\$0.00	\$0.00
Not Applicable	\$0.00	\$0.00

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
A. P.	Daughter	3 years
C. P.	Daughter	2 years
A. P.	Son	5 months

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)	\$0.00	\$502.00 rent
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)	\$15.00 phone	\$162.00 heat and electricity
Home maintenance (repairs and upkeep)	\$30.00 cleaning supplies	\$0.00
Food	\$100.00	\$100.00
Clothing	\$15.00 (work clothes)	\$0.00
Laundry and dry-cleaning	\$12.00	\$0.00
Medical and dental expenses	\$0.00	\$263.80 mental health

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>86.00</u> car fuel	\$ <u>86.00</u> car fuel
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0.00</u>	\$ <u>0.00</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0.00</u>	\$ <u>0.00</u>
Life	\$ <u>0.00</u>	\$ <u>0.00</u>
Health	\$ <u>0.00</u>	\$ <u>0.00</u>
Motor Vehicle	\$ <u>0.00</u>	\$ <u>0.00</u>
Other: <u>Not Applicable</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Not Applicable</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Installment payments		
Motor Vehicle	\$ <u>0.00</u>	\$ <u>0.00</u>
Credit card(s)	\$ <u>0.00</u>	\$ <u>0.00</u>
Department store(s)	\$ <u>0.00</u>	\$ <u>0.00</u>
Other: <u>Sue Daudier (former landlord) back rent</u>	\$ <u>150.00 for 12 months</u> total \$1,800.00	\$ <u>0.00</u>
Alimony, maintenance, and support paid to others	\$ <u>0.00</u>	\$ <u>0.00</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0.00</u>	\$ <u>0.00</u>
Other (specify): <u>Not Applicable</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Total monthly expenses:	\$ <u>408.00</u>	\$ <u>1,113.80</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? \$75.00 a month \$50.00 for attorney fees and \$25.00 for court costs

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

Sheliah M. Kaufold
835 Hanover Street Unit 103
Manchester, NH 03104
(603)232-3916

This lawyer was paid representation in the early phase of the case with DCYF. I was not appointed this attorney, I paid for her myself. Unfortunately, I could no longer afford her, and therefore she withdrew. I accrued a total of over \$6,000.00 in fees and was taken to court. As a result, I pay \$75.00 a month until my balance is paid off.

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? _____

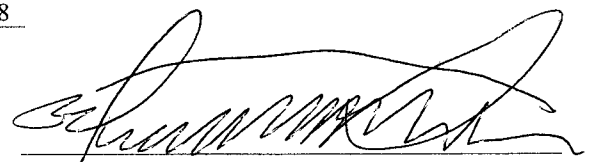
If yes, state the person's name, address, and telephone number:

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


We live in public housing and like most families, live paycheck to paycheck. Our rent and food stamps is based on income, and therefore, are subject to change either in an increase or decrease. We have connections to community resources for free clothes for the children, diapers and formula for our son, and 5 different pantries for food when food stamps run out. My wife and children are also on WIC.

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

Executed on: December 31, 2018



(Signature)
Samantha Peters


DARA S. BRADDIS
Notary Public - New Hampshire
My Commission Expires August 2, 2022