

18-8008

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

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
OCT 18 2018  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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OCT 24 2018  
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SUPREME COURT, U.S.

Cedrick Euron Draper — PETITIONER  
(Your Name)

VS.

Muy Pizza Southeast LLC — RESPONDENT(S)  
d/b/a Pizza Hut #311191

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):

Virginia State Courts: Lynchburg, Campbell County, Martinsville, Henry County,

Federal Courts: Western District Court (Lynchburg, Roanoke) Eastern District (Norfolk, Richmond)


☐ 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)

18-8008

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

I, Cedrick Euron Draper, 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	\$ _____	\$ _____	\$ _____	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ <u>13.00 est</u>	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
<b>Total monthly income:</b>	\$ <u>13.00 est</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</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
<u>USPS</u>	<u>1155 Semmole Tel Charlottesville VA 22902</u>	<u>08/17 to present</u>	<u>no income since 11/01/18</u>
<u>Dominos Pizza</u>	<u>3400 Valley Gateway Blvd Ste A-5</u>	<u>04/17 to 06/17</u>	<u>\$ 17.78 an hour last pay rate</u>
<u>VA Mirror Company</u>	<u>300 Moss Street</u>	<u>09/16 to 05/17</u>	<u>\$ 7.25 an hour last pay rate</u>
	<u>Marlinsville VA 24114</u>		<u>\$ 11.00 an hour last pay rate</u>

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
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>\$ N/A</u>

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
<u>Checking</u>	<u>\$ 20.00 est 10/12/18</u>	<u>\$ N/A</u>
<u>Savings</u>	<u>\$ 133.00 est 10/12/18</u>	<u>\$ N/A</u>
<u>Bellement Investment</u>	<u>\$ 21.28 est 10/12/18</u>	<u>\$ N/A</u>

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 2003  
Year, make & model Mercury Mountamed  
Value worth unknown car  
\$ 21,32.00 Fair Condition

☒ Motor Vehicle #2 2003  
Year, make & model Ford Focus  
Value worth unknown car  
1392.00 Fair Condition

☐ 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
Skaff, Victor <sup>WAL multi east spouses LP case</sup> briach settlement agreement	\$ 1550.00 est to repair statement	\$ N/A
Spencer Scholtz	\$ 800.00 settlement pending payment	\$ N/A
USPS <sup>unilateral</sup> settlement for back pay from Complaint Dispute	\$ pay rate and time period of separation from 1/10/18	\$ 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
N/A		
N/A		
N/A		

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	\$ N/A
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) <sup>Behind balance: 250.00 or higher est.</sup> 40.00 est monthly	\$ 40.00 est	\$ N/A
Home maintenance (repairs and upkeep)	\$ 0	\$ N/A
Food	\$ 250.00 to 350.00	\$ N/A
Clothing	\$ 100.00 to 300.00	\$ N/A
Laundry and dry-cleaning	\$ 40.00 to 75.00	\$ N/A
Medical and dental expenses	\$ 20.00 to 85.00	\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>100.00 to 250.00</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>0</u>	\$ <u>N/A</u>
Motor Vehicle past due balance: <u>1000.00 est or higher</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle <u>420 monthly behind 2</u> <u>(one agreement consist illegal repossession)</u> <u>420</u>		\$ <u>N/A</u>
Credit card(s) <u>30,000 est</u>	\$ <u>25</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>198.00</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>15.00 to 50.00</u>	\$ <u>N/A</u>
Other (specify): <u>Supplies, prints, po box charges, residential mail charges and, etc, gas, vehicle repairs</u>	\$ <u>150.00 to 275.00</u> <u>2750.00</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>4518.00 est</u>	\$ <u>N/A</u>

Liability offsets network  
Department of Education loan: 80720.54

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.

Child support increase due to no income

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? \_\_\_\_\_

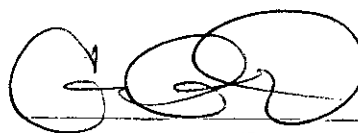
If yes, state the person's name, address, and telephone number:

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

no income since 1/10/18  
unemployment benefits exhausted

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

Executed on: 10/12/2018 <sup>CD</sup>~~10/12/2018~~ 10/12/2018, 20 18



(Signature)