

18-8633

No. _____

Supreme Court, U.S.
FILED

MAR 15 2019

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

JAMES GREENE,

Applicant,

vs.

WALGREENS EASTERN CO., INC.

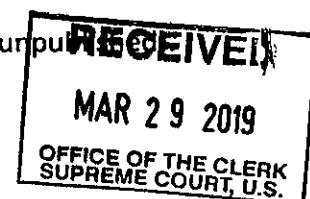
Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the First Circuit

Motion for Leave to Proceed in Forma Pauperis

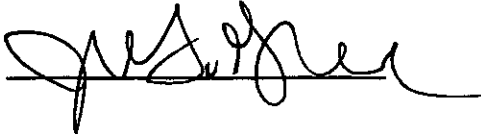
The Applicant, James Greene, hereby moves the Supreme Court of the United States to grant this motion to proceed in forma pauperis. In support thereof, Applicant submits the attached affidavit of indigency. As shown by the affidavit, Applicant does not have the funds to prepay the docketing fees or post a bond for them and therefore requests that the fees be waived.

A similar Motion to proceed in forma pauperis has previously been granted by both the United States District Court for the District of Massachusetts (Case No. 15-12949-RGS) and by the United States Court of Appeals for the First Circuit (Case No. 16-2487, unpul).



WHEREFORE, Applicant moves this Honorable Court to grant this motion.

Respectfully submitted on this the 25th day of March, 2019.

A handwritten signature in black ink, appearing to read 'James S. Greene', written over a horizontal line.

James S. Greene, Pro Se

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JAMES GREENE,
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WALGREENS EASTERN CO., INC.
Respondent.

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AFFIDAVIT IN SUPPORT OF MOTION FOR
LEAVE TO PROCEED IN FORMA PAUPERIS

Commonwealth of Massachusetts
County of Norfolk
On this 25 day of March, 2019, before me, Charles J. Canelli, the
undersigned notary public, personally appeared James Greene, proved
to me through satisfactory evidence of identification, which were
AKA, to be the person whose name is signed on the proceeding
or attached document, and acknowledged to me that (he) (she) signed
it voluntarily for its stated purpose.
Charles J. Canelli My Comm. Exp. Aug. 10, 2023
Notary Public's Signature

Affidavit in Support of Motion

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed: _____

Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: March 25, 2019

My issues on appeal are:

- i. Whether the First Circuit Court erred when it affirmed the District Court's denial of an indigent plaintiff's (Greene's) motion to provide and pay for expert testimony in the field of industrial organizational

psychology in a civil rights case where proof of discrimination hinges on the production of expert testimony and data.

ii. Whether the First Circuit Court erred when it affirmed the District Court's denial of an indigent plaintiff's (Greene's) motion to provide and pay for expert testimony and analysis in the field of statistics in a civil rights case where proof of discrimination hinges on the production of expert testimony and data.

iii. Whether the First Circuit Court erred when it affirmed the District Court's denial of all of Greene's motions for discovery of facts and data concerning non-actionable events which occurred outside of the civil rights liability period of the actionable event.

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	\$ 0	\$ N/A	\$ 0	\$ N/A
Self-employment	\$ 0	\$ N/A	\$ 0	\$ N/A
Income from real property (such as rental income)	\$ 0	\$ N/A	\$ 0	\$ N/A
Interest and dividends	\$ 50	\$ N/A	\$ 50	\$ N/A
Gifts	\$ 0	\$ N/A	\$ 0	\$ N/A
Alimony	\$ 0	\$ N/A	\$ 0	\$ N/A
Child support	\$ 0	\$ N/A	\$ 0	\$ N/A
Retirement (such as social security, pensions, annuities, insurance)	\$ 2799	\$ N/A	\$ 2799	\$ N/A
Disability (such as social security, insurance payments)	\$ 0	\$ N/A	\$ 0	\$ N/A
Unemployment payments	\$ 0	\$ N/A	\$ 0	\$ N/A
Public-assistance (such as welfare)	\$ 0	\$ N/A	\$ 0	\$ N/A
Other (specify):	\$ 0	\$ N/A	\$ 0	\$ N/A
Total monthly income:	\$ 2849	\$ N/A	\$ 2849	\$ N/A

2. *List your 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
N/A			\$
N/A			\$
N/A			\$

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
N/A			\$
N/A			\$
N/A			\$

4. *How much cash do you and your spouse have? \$ 200*

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
Fidelity Investments	Investment	\$ 28,000	\$ N/A
Fidelity Investments	IRA	\$ 12,000	\$ N/A
Bank of America	Savings	\$ 200	\$ N/A

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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

Home	Other real estate	Motor vehicle #1
(Value) \$	(Value) \$	(Value) \$ 2000
N/A	N/A	Make and year: 2009 Chevy
		Model: Cobalt
		Registration #: 229-WKX

Motor vehicle #2	Other assets	Other assets
N/A	N/A	N/A
(Value) \$	(Value) \$	(Value) \$
Make and year:		
Model:		
Registration #:		

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
N/A	\$ N/A	\$ N/A
N/A	\$ N/A	\$ N/A
N/A	\$ N/A	\$ N/A
N/A	\$ N/A	\$ N/A

7. State the persons who rely on you or your spouse for support.

Name [or, if under 18, initials only]	Relationship	Age
N/A	N/A	N/A
N/A	N/A	N/A
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, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 776	\$ N/A
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Subsidized	
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Rent	
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 60	\$ N/A
Home maintenance (repairs and upkeep)	\$ 0	\$ N/A
Food	\$ 200	\$ N/A
Clothing	\$ 50	\$ N/A
Laundry and dry-cleaning	\$ 25	\$ N/A
Medical and dental expenses	\$ 50	\$ N/A
Transportation (not including motor vehicle payments)	\$ 35	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 25	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 30	\$ N/A
Life:	\$ 0	\$ N/A
Health:	\$ 350	\$ N/A
Motor vehicle:	\$ 60	\$ N/A
Other:	\$ 0	\$ N/A
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ 0	\$ N/A
Installment payments		
Motor Vehicle: See Attached List	\$ 650	\$ N/A
Credit card (name): of All Creditors	\$	\$ N/A
Department store (name):	\$	\$ N/A
Other:	\$	\$ N/A
Alimony, maintenance, and support paid to others	\$ 0	\$ N/A

Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 445	\$ N/A
Other (specify):	\$ 0.00	\$ N/A
Total monthly expenses:	\$ 2756	\$ N/A

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 spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit?* ☐ Yes ☒ No

If yes, how much? \$ _____

11. *Provide any other information that will help explain why you cannot pay the docket fees for your appeal.*

12. *State the city and state of your legal residence.* Norwood, Massachusetts

Your daytime phone number: (781) 255-9253 _____

Your age: 72 *Your years of schooling:* 25

Last four digits of your social-security number: 3306 _____

Monthly Self Employment Expenses Submitted to Accompany MOTION TO APPEAL IN FORMA PAUPERIS

Statement of James S. Greene, Pro Se, Applicant

First Circuit Case No. **16-2487** (unpublished)

Supreme Court Case No. _____

Monthly Cash Expenses Paid for Self-Employed Business Operations (03-25-2019)

[Investments and software app businesses do not currently generate income.]

Monthly Cash Expense	Amount
Business Rental Space	100
Software Licenses	100
Business Supplies	50
Internet Connection	25
Internet Domain Names	20
Taxes and Fees	50
Misc. Expenses	100
Total	\$ 445

Credit Card Expenses Submitted to Accompany MOTION TO APPEAL IN FORMA PAUPERIS

Statement of James S. Greene, Pro Se, Applicant

First Circuit Case No. **16-2487** (unpublished)

Supreme Court Case No. _____

Credit Card Installment Balances and Monthly Payments (03-25-2019)

Creditor	Balance	Monthly Payment
Wells Fargo	5060	125
Bank of America	6000	225
Barclays Bank	3300	125
Discover Card	3100	100
All Others	2000	75
Totals	\$ 19,460	\$ 650