

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JUAN ESPINOZA; OMAR GARZA; ALBERTO REYES; ANTONIO NARANJO;
ROEL OLIVARES,
- PETITIONERS

v.

SAN BENITO CONSOLIDATES INDEPENDENT SCHOOL DISTRICT -
RESPONDENT

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

FROM THE UNITED STATES COURT
OF APPEALS FOR THE FIFTH CIRCUIT

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No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JUAN ESPINOZA; ALBERTO REYES; ANTONIO NARANJO; ROEL OLIVARES,
- PETITIONERS

v.

SAN BENITO CONSOLIDATES INDEPENDENT SCHOOL DISTRICT –
RESPONDENT

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioners' request leave to file the attached Petition for a Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis*. Petitioners' have been granted to proceed on Appeal *In Forma Pauperis*, due to their inability to pursue their appeal without undue financial hardship. See attached Order Granting Petitioner's Motion to Proceed on Appeal *in Forma Pauperis* Exhibit "A". Petitioners' continue in the same position as their initial Application to Proceed on Appeal in Forma Pauperis and request they be allowed to proceed with their Writ of Certiorari without costs. See attached Declaration In Support of Motion for Leave to Proceed *In Forma Pauperis* for Petitioners' Juan Espinoza, Exhibit "B", Alberto Reyes, Exhibit "C", Antonio Naranjo, Exhibit "D", and Roel Olivares, Exhibit "E".

Respectfully submitted,

/s/ Ed Stapleton

ED STAPLETON
Texas State Bar Number 19058400

So. District No. 1501
2401 Wildflower Dr. Ste. C
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A

ENTERED

November 03, 2017
David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

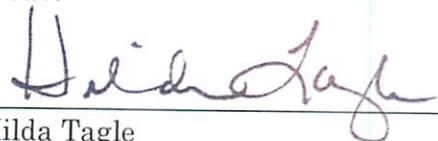
JUAN ESPINOZA, *et al.*, §
Plaintiffs, §
VS. § CIVIL NO. 1:14-CV-115
SAN BENITO CONSOLIDATED §
INDEPENDENT SCHOOL DISTRICT, §
Defendant. §

ORDER

This Court now considers Plaintiffs' Motion to Proceed on Appeal In Forma Pauperis (Dkt. No. 157) and Plaintiff's Motion to Proceed at Governments [sic] Expense (Dkt. No. 159). Plaintiffs motions and financial disclosures adequately demonstrate their inability to pursue their appeal without undue financial hardship, their claims to redress on appeal, and the issues that they intend to pursue. *See* FED. R. APP. P. 24(a)(1). The Court therefore concludes that Plaintiffs may pursue their appeal *in forma pauperis*.

Accordingly, this Court GRANTS Plaintiffs' Motion to Proceed on Appeal In Forma Pauperis (Dkt. No. 157) and DENIES AS MOOT Plaintiffs' Motion to Proceed at Governments [sic] Expense (Dkt. No. 159). The Court ORDERS that Plaintiffs may proceed on appeal without costs.

SIGNED this 2nd day of November, 2017.



Hilda Tagle
Senior United States District Judge

B

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

I, JUAN ESPINOZA, 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>3,687.00</u>	\$ <u> </u>	\$ <u>3,687.00</u>	\$ <u> </u>
Self-employment	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Income from real property (such as rental income)	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Interest and dividends	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Gifts	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Alimony	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Child Support	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Disability (such as social security, insurance payments)	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Unemployment payments	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Public-assistance (such as welfare)	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Other (specify): _____	\$ <u> 0 </u>	\$ <u> </u>	\$ <u> 0 </u>	\$ <u> </u>
Total monthly income:	\$ <u>3,687.00</u>		\$ <u> 0 </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
<u>San Benito CISD</u> " "	<u>240 N. Crockett</u> " "	<u>06/2003</u> " "	<u>\$ 3,687.00</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>\$</u> \$ <u>N/A</u> \$

4. How much cash do you and your spouse have? \$ 7.00

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>\$ 100.00</u>	<u>\$</u>
<u>Savings</u>	<u>\$ 25.00</u>	<u>\$</u>
	<u>\$</u>	<u>\$</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 \$ 90,000.00

Other real estate
Value _____

Motor Vehicle #1
Year, make & model 2007, Ford, Truck
Value \$ 7,000.00

Motor Vehicle #2
Year, make & model _____
Value _____

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
<u>NA</u>	\$ <u>NA</u>	\$ <u>NA</u>
	\$ <u>NA</u>	\$ <u>NA</u>
	\$ <u>NA</u>	\$ <u>NA</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>NA</u>	<u>NA</u>	<u>NA</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
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>1,003.00</u>	\$ <u> </u>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>627.00</u>	\$ <u> </u>
Home maintenance (repairs and upkeep)	\$ <u>50.00</u>	\$ <u> </u>
Food	\$ <u>300.00</u>	\$ <u> </u>
Clothing	\$ <u>75.00</u>	\$ <u> </u>
Laundry and dry-cleaning	\$ <u>40.00</u>	\$ <u> </u>
Medical and dental expenses	\$ <u>50.00</u>	\$ <u> </u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>— 0 —</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>150. ⁰⁰</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>— 0 —</u>	\$ _____
Life	\$ <u>— 0 —</u>	\$ _____
Health	\$ <u>— 0 —</u>	\$ _____
Motor Vehicle	\$ <u>125. ⁰⁰</u>	\$ _____
Other: _____	\$ <u>— 0 —</u>	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>— 0 —</u>	\$ _____
Installment payments		
Motor Vehicle	\$ <u>— 0 —</u>	\$ _____
Credit card(s)	\$ <u>200. ⁰⁰</u>	\$ _____
Department store(s)	\$ <u>— 0 —</u>	\$ _____
Other: <u>Personal loan</u>	\$ <u>1630. ⁰⁰</u>	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>80. ⁰⁰</u>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>— 0 —</u>	\$ _____
Other (specify): <u>Gas for vehicle / Union's fee</u>	\$ <u>202. ⁰⁰ / ⁰⁰ 28. ⁰⁰</u>	\$ _____
Total monthly expenses:	\$ <u>3,560. ⁰⁰</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 barely making through the month with all the deductions from my check, and bills, and the personal loan that I'm paying.

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

Executed on: JANUARY 22, 2019


(Signature)

C

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

I, ALBERTO REYES JR., 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>3969.00</u>	\$ <u>6811.50</u>	\$ <u>3969.00</u>	\$ <u>6811.50</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>3969.00</u>	\$ <u>6811.50</u>	\$ <u>3969.00</u>	\$ <u>6811.50</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
<u>SAN BENITO CISD</u>	<u>240 N. CRICKET, SAN BENITO, TX</u>	<u>3-21-01 - Present</u>	<u>\$ 3,969.55</u>
			<u>\$</u>
			<u>\$</u>
			<u>\$</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>Hollings CISD</u>	<u>401 N. 77 Sunshine Strip</u>	<u>7/1/96 - Present</u>	<u>\$ 6811.50</u>
			<u>\$</u>
			<u>\$</u>
			<u>\$</u>

4. How much cash do you and your spouse have? \$ 0

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
<u>SECURITY FIRST Credit Union</u>	<u>Savings</u>	<u>\$ 800.00</u>	<u>0</u>
		<u>\$</u>	
		<u>\$</u>	
		<u>\$</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 129,000

Other real estate
Value 0

Motor Vehicle #1
Year, make & model 2011 JEEP CHEROKEE GRAND
Value \$15,000.00

Motor Vehicle #2
Year, make & model 2018 JEEP GRAND CHEROKEE
Value 26,000

Other assets
Description 2007 20FT ULTRACAT BOAT
Value 19,000

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>N/A</u>	\$ <u>0</u>	\$ <u>0</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
<u>Calista Reyes</u>	<u>Daughter</u>	<u>19</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
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>0</u>	\$ <u>0</u>
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)	\$ <u>537.00</u>	\$ <u>120.00</u>
Home maintenance (repairs and upkeep)	\$ <u>80.00</u>	\$ <u>></u>
Food	\$ <u>100.00</u>	\$ <u>400.00</u>
Clothing	\$ <u>—</u>	\$ <u>—</u>
Laundry and dry-cleaning	\$ <u>160</u>	\$ <u>—</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>85.00</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 60.00	\$ 60.00
Recreation, entertainment, newspapers, magazines, etc.	\$ - 0 -	\$ 45.00
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ 0
Life	\$ 0	\$ 0
Health	\$ 0	\$ 0
Motor Vehicle	\$ 40.50	\$ 0
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ 0	\$ 300.00
Installment payments		
Motor Vehicle	\$ 439.30	\$ 644.58
Credit card(s)	\$ 642	\$ 755.00
Department store(s)	\$ 25	\$ 100
Other: <u>Boat payment</u> ^{me} <u>Daughter</u> ^{Spouse} <u>Car</u>	\$ 314.07	\$ 378.00
Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0
Other (specify): <u>College Tuition, Meals, Housing</u>	\$ 0	\$ 1,500
Total monthly expenses:	\$ 2762.67	\$ 4,182.00

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.

My daughter will be a Full Time College Student

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? _____

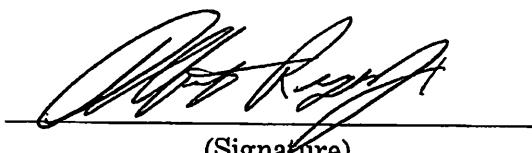
If yes, state the person's name, address, and telephone number:

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

ASIDE from the College expenses for my daughter we will continue the medical expenses for my wife who is diagnosed with ADRENAL INSUFFICIENCY (Addison's Disease) and diabetes. The medications to treat her illness continue to RISE in COSTS.

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

Executed on: January 23, 2019



(Signature)

D

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

I, Antonio P. Maranje, 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>3,722.15</u>	\$ <u>0</u>	\$ <u>3722.15</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>1400</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>5122.15</u>	\$ <u>0</u>	\$ <u>5122.15</u>	\$ <u>0</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 80.00	\$ 0
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 0
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ N/A	\$ N/A
Life	\$ 0	\$ 0
Health	\$ 0	\$ 0
Motor Vehicle	\$ 104.00	\$ 0
Other: _____	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): Property	\$ 100	\$ 0
Installment payments		
Motor Vehicle	\$ 506.00	\$ 0
Credit card(s)	\$ 0	\$ 0
Department store(s)	\$ 0	\$ 0
Other: Loan (Company)	\$ 120.00	\$ 0
Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0
Other (specify): _____	\$ N/A	\$ N/A
Total monthly expenses:	\$ 3180	\$ 0

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>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>None</u>	\$ <u>N/A</u>	\$ <u>N/A</u>

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

Name	Relationship	Age
<u>None</u>	<u>N/A</u>	<u>N/A</u>
<u>None</u>	<u>N/A</u>	<u>N/A</u>
<u>None</u>	<u>N/A</u>	<u>N/A</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
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>400.00</u>	\$ <u>0</u>
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)	\$ <u>380.00</u>	\$ _____
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ _____
Food	\$ <u>600.00</u>	\$ _____
Clothing	\$ <u>0</u>	\$ _____
Laundry and dry-cleaning	\$ <u>0</u>	\$ _____
Medical and dental expenses	\$ <u>900.00</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
San Benito CISD	240 N Crockett	_____	\$ _____

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 <u>N/A</u>	Address <u>1/4</u>	Dates of Employment <u>1/19</u>	Gross monthly pay <u>\$ N/A</u>
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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.

Financial institution	Type of account	Amount you have	Amount your spouse has
_____	<u>Savings</u>	\$ <u>1000</u>	\$ <u>0</u>
_____	_____	\$ <u> </u>	\$ <u> </u>
_____	_____	\$ <u> </u>	\$ <u> </u>

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
Value N/A Value 24,000

Motor Vehicle #1
Year, make & model 2015 Nissan Frontier
Value 27,000

Motor Vehicle #2
Year, make & model 11
Value

Other assets
Description n/a
Value 0

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.

Due to my wife been a diabetic and having to go to the hospital emergency and having undesirable ~~amount~~ out of pocket expenses, I don't think I can afford any more expenses.

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

Executed on: January 29, 2019

Anthony P. Moran Jr.
(Signature)

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

I, Roel Olivarez, 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	\$ 3722.00	\$ -0-	\$ 3722.00	\$ -0-
Self-employment	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Income from real property (such as rental income)	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Interest and dividends	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Gifts	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Alimony	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Child Support	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Retirement (such as social security, pensions, annuities, insurance)	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Disability (such as social security, insurance payments)	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Unemployment payments	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Public-assistance (such as welfare)	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Other (specify):	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total monthly income:	\$ 44,665.80	\$ -0-	\$ 44,665.80	\$ -0-

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
San Benito CISD	240 N. Crockett	October 2001-til present	\$ 3722.00
N/A	N/A	N/A	\$ -0-
N/A	N/A	N/A	\$ -0-

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	\$ -0-
N/A	N/A	N/A	\$ -0-
N/A	N/A	N/A	\$ -0-

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
Checking	\$ 213.00	\$ -0-
N/A	\$ -0-	\$ -0-
N/A	\$ -0-	\$ -0-

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 N/A
 Value N/A

Motor Vehicle #2
 Year, make & model N/A
 Value N/A

Other assets
 Description N/A
 Value N/A

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>N/A</u>	\$ -0-	\$ -0-
<u>N/A</u>	\$ -0-	\$ -0-
<u>N/A</u>	\$ -0-	\$ -0-

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>K.J.O.</u>	<u>Daughter</u>	<u>8</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>

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)	\$ <u>444.50</u>	\$ <u>-0-</u>
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)	\$ <u>210.00</u>	\$ <u>-0-</u>
Home maintenance (repairs and upkeep)	\$ <u>100.00</u>	\$ <u>-0-</u>
Food	\$ <u>100.00</u>	\$ <u>-0-</u>
Clothing	\$ <u>40.00</u>	\$ <u>-0-</u>
Laundry and dry-cleaning	\$ <u>—</u>	\$ <u>-0-</u>
Medical and dental expenses	\$ <u>400.00</u>	\$ <u>-0-</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 100.00	\$ -0-
Recreation, entertainment, newspapers, magazines, etc.	\$ 448.00	\$ -0-
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ -0-	\$ -0-
Life	\$ -0-	\$ -0-
Health	\$ -0-	\$ -0-
Motor Vehicle	\$ 177.00	\$ -0-
Other: <u>N/A</u>	\$ -0-	\$ -0-
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ -0-	\$ -0-
Installment payments		
Motor Vehicle	\$ 457.00	\$ -0-
Credit card(s)	\$ 305.00	\$ -0-
Department store(s)	\$ 100.00	\$ -0-
Other: <u>Dish, phone, storage</u>	\$ 297.00	\$ -0-
Alimony, maintenance, and support paid to others	\$ 559.00	\$ -0-
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ -0-	\$ -0-
Other (specify): <u>N/A</u>	\$ -0-	\$ -0-
Total monthly expenses:	\$ 3737.50	\$ -0-

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.

N/A

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? *N/A*

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

N/A

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? *N/A*

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

N/A

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

Due to total expenses it will not allow me to pay the cost of this case

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

Executed on: January 29, 2019

Rael Olians
(Signature)