

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

IN THE  
SUPREME COURT OF THE UNITED STATES

BRIAN EDWARD MALNES,

*Petitioner,*

v.

CITY OF FLAGSTAFF, et al.,

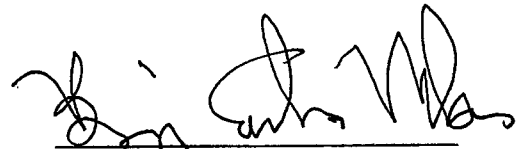
*Respondents.*

MOTION FOR LEAVE TO PROCEED AS A VETERAN

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed as a veteran in accordance with Supreme Court Rule 40.1.

As proof of the Petitioner's veteran status an affidavit and a copy of his DD Form 214 are attached demonstrating he was honorably discharged from the U.S. Army. In addition the Petitioner is a Disabled American Veteran.

June 21st, 2018

A handwritten signature in black ink, appearing to read "Brian Edward Malnes", written over a horizontal line.

Brian Edward Malnes

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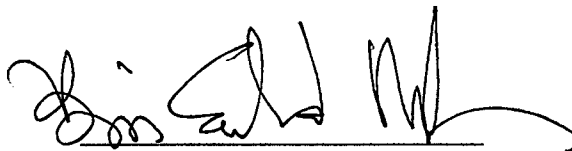
*Respondents.*

AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE  
TO PROCEED AS A VETERAN

I, Brian Edward Malnes, am the Petitioner in the above-entitled case. I am an honorably discharged member of the United States Army. In addition, I am a Disabled American Veteran who was injured during my service to this Country.

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

Executed on June 21st, 2018

A handwritten signature in black ink, appearing to read 'Brian Edward Malnes', written over a horizontal line.

Brian Edward Malnes

CAUTION: NOT TO BE USED FOR  
IDENTIFICATION PURPOSES

THIS IS AN IMPORTANT RECORD  
SAFEGUARD IT

ANY ALTERATIONS IN SHADED  
AREAS RENDER FORM VOID

DD FORM 1 JUL 79 214		PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE		CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY																																									
1. NAME (Last, first, middle) <b>NALNES, BRIAN EDWARD</b>		2. DEPARTMENT, COMPONENT AND BRANCH <b>ARMY</b>		3. SOCIAL SECURITY NO. <b>RA</b>																																									
4A. GRADE, RATE OR RANK <b>SP4</b>	4B. PAY GRADE <b>E-4</b>	5. DATE OF BIRTH <b>651210</b>	6. PLACE OF ENTRY INTO ACTIVE DUTY <b>Oakland, CA</b>																																										
7. LAST DUTY ASSIGNMENT AND MAJOR COMMAND <b>BHC USAC HQ FORSCOM FC</b>			8. STATION WHERE SEPARATED <b>Fort Carson, CO</b>																																										
9. COMMAND TO WHICH TRANSFERRED <b>USAR Control Group (REINP) APPENDIX</b>			10. SGU COVERAGE AMOUNT \$ <b>50</b> <input type="checkbox"/> 000 <input type="checkbox"/> NONE																																										
11. PRIMARY SPECIALTY NUMBER, TITLE AND YEARS AND MONTHS IN SPECIALTY (Additional specialty numbers and titles including periods of one or more years) <b>19810 HQS-260 Armor Crewman 2 Years 8 Months</b> <b>//NOTHING FOLLOWS</b>			12. RECORD OF SERVICE <table border="1"><thead><tr><th></th><th>YEAR (y)</th><th>MONTH (m)</th><th>DAY (d)</th></tr></thead><tbody><tr><td>a. Date Entered AD This Period</td><td>85</td><td>01</td><td>09</td></tr><tr><td>b. Separation Date This Period</td><td>88</td><td>01</td><td>08</td></tr><tr><td>c. Not Active Service Discharged</td><td>03</td><td>00</td><td>00</td></tr><tr><td>d. Total Prior Active Service</td><td>00</td><td>00</td><td>00</td></tr><tr><td>e. Total Prior Inactive Service</td><td>00</td><td>00</td><td>11</td></tr><tr><td>f. Foreign Service</td><td>01</td><td>00</td><td>03</td></tr><tr><td>g. Sea Service</td><td>00</td><td>00</td><td>00</td></tr><tr><td>h. Effective Date of Pay Grade</td><td>86</td><td>04</td><td>01</td></tr><tr><td>i. Reserve Oblig. Term. Date</td><td>92</td><td>12</td><td>26</td></tr></tbody></table>				YEAR (y)	MONTH (m)	DAY (d)	a. Date Entered AD This Period	85	01	09	b. Separation Date This Period	88	01	08	c. Not Active Service Discharged	03	00	00	d. Total Prior Active Service	00	00	00	e. Total Prior Inactive Service	00	00	11	f. Foreign Service	01	00	03	g. Sea Service	00	00	00	h. Effective Date of Pay Grade	86	04	01	i. Reserve Oblig. Term. Date	92	12	26
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13. DECORATIONS, MEDALS, BADGES, CORDONS AND CAMPAIGN ribbons AWARDED OR AUTHORIZED (All periods of service) <b>Army Service Ribbon</b> <b>//Overseas Service Ribbon//Expert Badge (.45 Cal Pistol)//Army Good Conduct Medal//</b> <b>NOTHING FOLLOWS</b>																																													
14. MILITARY EDUCATION (Course Title, number weeks, and month and year completed) <b>NA//NOTHING FOLLOWS</b>																																													
15. MEMBER CONTRIBUTED TO POST-VIETNAM VETERANS' EDUCATIONAL ASSISTANCE PROGRAM <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		16. HIGH SCHOOL GRADUATE OR EQUIVALENT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		17. DAYS ACCRUED LEAVE PAID <b>NA</b>																																									
18. REMARKS <b>Delayed entry program (DEF): 841227 to 850108// Complete dental care was provided 90 days prior to separation//NOTHING FOLLOWS</b>																																													
19. MAILING ADDRESS AFTER SEPARATION <b>16628 62nd Ave West Lynnwood, WA 98037</b>			20. MEMBER REQUESTS COPY A RE: SENT TO <input checked="" type="checkbox"/> EPA <input type="checkbox"/> OR OF VE AFFAIRS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO																																										
21. SIGNATURE OF MEMBER BEING SEPARATED <b>Soldier Unavailable to sign</b>		22. TYPED NAME, GRADE, TITLE AND SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN <b>R. B. BANCROFT GS-7 CHIEF, TRANSITION POINT</b>																																											
SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)																																													
23. TYPE OF SEPARATION <b>Relief from active duty</b>		24. CHARACTER OF SERVICE (includes upgrades) <b>Honorable</b>																																											
25. SEPARATION AUTHORITY <b>AR 633-200 Chapter 4</b>		26. SEPARATION CODE <b>LBK</b>		27. REENLISTMENT CODE <b>RE-1</b>																																									
28. NARRATIVE REASON FOR SEPARATION <b>Expiration term of service</b>																																													
29. DATES OF TIME LOST DURING THIS PERIOD <b>None</b>				30. MEMBER REQUESTS COPY A <b>/S/ BHM INITIALS</b>																																									

Envelope 2

SERVICE 7

**Additional material  
from this filing is  
available in the  
Clerk's Office.**