

19-5335

No.: Pending

ORIGINAL

In the
Supreme Court of the United States

Patrick Brunette, Petitioner

vs.

Robert Wilke, Respondent

Supreme Court, U.S.
FILED
DEC 18 2018
OFFICE OF THE CLERK

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 courts.

 The United States Court of Appeals for the Federal Circuit

 The United States Court of Appeals for Veterans Claims

 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.

Petitioner's affidavit is not attached because the court below appointed counsel in the current proceeding, and:

 The appointment was made under the following provision of law:

 A copy of the order of appointment is appended.

/s/Edward A. Zimmerman

Edward A. Zimmerman

AFFIDAVIT OF PATRICK BRUNETTE
IN SUPPORT OF MOTION FOR LEAVE TO APPEAR
IN FORMA PAUPERIS IN THE MATTER OF
BRUNETTE VS. WILKE

Because I believe the leading cause of divorce is marriage, I am now single after two divorces and have no interest in or claims on my landlord's earnings or expenses.

1. Estimate your average monthly income for the past 12 months.

Income Source	Average Monthly Amount During the past 12 Months	Amount Expected Next Month
Employment	0	0
Self-employment	0	0
Income from real property (such as rental income)	0	0
Interest and dividends	0	0
Gifts	0	0
Alimony	0	0
Child Support	0	0
Military Disability	1,833.62	1,833.62
Social Security Disability	961.00	961.00
Unemployment Payments	0	0
Public Assistance (such as welfare)	0	0

Other (Specify)	0	0
Total Monthly Income	2,794.62	2,794.62

2. List your employment history for the past two years, most recent first.
(Gross monthly pay is before taxes or other deductions.)

I have not held a job for at least the past twenty years.

3. I have no spouse, so there is no section 3 in this response.

4. How much cash do you have?

Checking account # 301520667 in Farmington, MN, Premier Bank	\$200
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5. List the assets and their values which you own?

Home value? I do not own any real estate. I rent.

Motor vehicle? A new 2019 Chevrolet Equinox I just bought (on monthly payments of \$556.02 for six years) to replace my truck which had become unrepairable. I estimate the present value at \$19,800.

19,800

A 650 Honda Shadow I seldom use and a scooter with limited value due to danger driving in city traffic. I estimate the total present value at \$750.

750

Other assets:

Description and value: Gibson guitars with a total value from \$200 to \$500 (due to modifications I have made which reduce their market value to anyone but me). (I use these to play with friends who rehearse in the basement.) I estimate the total value at \$450.

450

A riding mower I bought second hand last year valued for \$150. I estimate the total value to still be \$150.

150

6. State every person, business, or organization owing you money and the amount owed:
None

7. State the persons who rely on you for their support.

Name	Relationship	Age/DOB
ACB	Daughter	8/5/92
BLB	Daughter	2/19/95

8. Estimate your average monthly expenses:

Rent	\$800
Are real estate taxes included? Yes	
Is property insurance included? Yes	
Utilities - These are also included	None
Home maintenance (I help mow and maintain the house.)	40
Food and miscellaneous supplies	600
Clothing	50
Laundry and dry cleaning	30
Medical and dental (The VA pays all my medical expenses but not dental.)	85
Transportation (See car payments, car insurance, and gasoline)	See below
Recreation (occasional movie rentals)	35
Insurance not deducted from wages or mortgage payments	
Homeowners or renter's insurance	None

Life (Gerber insurance for last costs and funeral and burial)		32.55
Health (medical coverage provided by VA)		None
Motor vehicle insurance (liability, collision, UM, comprehensive)		141
Other (motorcycle insurance)		20
Taxes (not deducted from wages or included in mortgage payments) (All my income is for military and social security income and is not taxable.)		None
Installment payments		
Motor vehicle		556.02
Credit cards	I have none.	None
Department Store Accounts	I have none.	None
Other	I have none.	None
Alimony, maintenance, and support paid to others		250
Regular expenses for operation of a business, profession, or farm		None
Other (Specify):		
Personal expenses for such things as haircuts, pocket expenses, and miscellaneous expenses		50
Gasoline for car and mower (I save a tank a month with my new car.)		250
Gifts (Christmas, birthdays, and special days for mother, Girlfriend and other close friends, 5 children, and 14 grandchildren)		400
Veterinarian and pet food and medicine (for 3 dogs, a cat, a parrot, and a lovebird)		100

Cigarettes

400

Total monthly expenses:

3.839.57

9. Do you expect any major changes in your monthly income or expenses or in your assets during the next twelve months?

No.

10. Have you paid or will you be paying an attorney any money for services connected with this case?

Yes.

I paid retainers and fees for services totaling \$6,867 to Edward. A. Zimmerman, 920 Feltl Court, Apartment 202, Hopkins, MN 55343, phone (612) 840-8040, between 2008 and 2013 on this case and a previous case before the U.S. Court of Veterans Appeals (since renamed) involving essentially the same issues.

11. Have you paid or will you be paying anyone other than an attorney (such as a paralegal or typist) any money for services connected with this case?

Yes.


I have paid or will pay notary publics less than \$10 for copies and notarizations.

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

I make a total of \$2794.62 per month (1,833.57 for military disability and 961 for social security disability. My expenses now total \$3,839.57 a month, leaving a monthly shortfall of \$1,045. I can save this amount by cutting food by 300 to 300, clothing by 50 to 0, gasoline by 70 to 180, movie rentals by 35 to 0, gifts by 300 to 100, and cigarettes to by 160 to 240. However, there are not enough remaining cuts in expenses left to pay the filing fees and the cost of binding and sending 40 copies of the petition and a copy for service. The only alternative left is to make more money and this option is no longer open to me since I have not been able to obtain and retain even a part-time job since 1999.

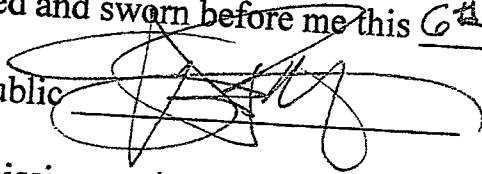
I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 6 2019

Signature 

Subscribed and sworn before me this 6th day of July, 2019.

Notary Public



My commission expires: 01-31-2022

- Seal -

