

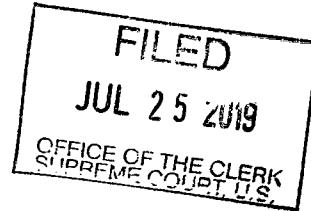
19-5402

ORIGINAL

No. _____

In The
Supreme Court of the United States

Tatyana Mason—Petitioner *Pro-se*



vs.

John Mason — Respondent

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*. Petitioner has previously been granted leave to proceed in *forma pauperis* in the following court(s):

- ◆ Thurston County Superior Court of Washington State
- ◆ Federal Court of the U.S.A.

Petitioner's declaration and financial statement in support of this motion is attached hereto.

Respectfully Sublimed by:


Tatyana Mason—
Petitioner *Pro-se*

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

I, Tatyana Mason, 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>0.00</u>	\$ <u>none</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Self-employment	\$ <u>0.00</u>	\$ <u>none</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Income from real property (such as rental income)	\$ <u>0.00</u>	\$ <u>none</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Interest and dividends	\$ <u>0.00</u>	\$ <u>none</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Gifts	\$ <u>0.00</u>	\$ <u>none</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Alimony	\$ <u>0.00</u>	\$ <u>none</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Child Support	\$ <u>0.00</u>	\$ <u>none</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0.00</u>	\$ <u>none</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Disability (such as social security, insurance payments)	\$ <u>0.00</u>	\$ <u>none</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Unemployment payments	\$ <u>0.00</u>	\$ <u>none</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Public-assistance (such as welfare)	\$ <u>750.00</u>	\$ <u>none</u>	\$ <u>750.00</u>	\$ <u>0.00</u>
ASHS				
Other (specify): <u>Food stamps</u>	\$ <u>110.00</u>	\$ <u>none</u>	\$ <u>110.00</u>	\$ <u>0.00</u>
Total monthly income:	\$ <u>860.00</u>	\$ <u>0.00</u>	\$ <u>860.00</u>	\$ <u>0.00</u>

ASHS is paying me low income disability due to cancer.

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>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>0.00</u>
<u>Z</u>	<u>Z</u>	<u>Z</u>	\$ <u>0.00</u>
			\$ <u>0.00</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>0.00</u>
<u>Z</u>	<u>Z</u>	<u>Z</u>	\$ <u>0.00</u>
			\$ <u>0.00</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>N/A</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
	\$ <u>0.00</u>	\$ <u>0.00</u>
	\$ <u>0.00</u>	\$ <u>0.00</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
 Year, make & model N/A
 Value N/A

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

Other assets
 Description I do not have a HOME OR A CAR. I am renting a (1) room.
 Value N/A

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

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
Z	Z	Z

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. *• Dated*

• DIVORCED.
Not married.

Rent a room

\$ 500.00

Are real estate taxes included? Yes No

Is property insurance included? Yes No

Utilities (electricity, heating fuel, water, sewer, and telephone)

\$ 100.00 \$ N/A

Home maintenance (repairs and upkeep)

\$ 0.00 \$ N/A

Food

\$ 110.00 \$ N/A

Clothing

\$ 50.00 \$ N/A

Laundry and dry-cleaning

50.00 N/A

Medical and dental expenses *I am a cancer patient going through daily cancer treatments*

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 50.00	\$ Z
Recreation, entertainment, newspapers, magazines, etc.	\$ 00.00	\$ Z
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0.00	\$ Z
Life	\$ 0.00	\$ Z
Health	\$ 0.00	\$ Z
Motor Vehicle	\$ 0.00	\$ Z
Other: <u>N/A</u>	\$ 0.00	\$ Z
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ 0.00	\$ Z
Installment payments		
Motor Vehicle	\$ 0.00	\$ Z
Credit card(s)	\$ 0.00	\$ Z
Department store(s)	\$ 0.00	\$ Z
Other: _____	\$ 0.00	\$ Z
Alimony, maintenance, and support paid to others	\$ 0.00	\$ Z
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0.00	\$ Z
Other (specify): _____	\$ 0.00	\$ Z
Total monthly expenses:	<u>\$ 860.00</u>	\$ Z
	<i>+\$25,000 - (debt) cancer treatment</i>	
	<i>+\$100,000 (debt) school loan</i>	

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.

Z

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:

Z

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:

Z

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

*Respondent in this case (John Mason) refused to remove conditions from my green card, due to his abuse toward me.
He also failed to pay spouse maintenances
I am a cancer patient going through daily cancer treatment*

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

Executed on: August 2, 2019


(Signature)

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

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

AT TACOMA

TATYANA MASON,

Case No.: 3:17-cv-05289-RBL

Plaintiff,

ORDER

JOHN MASON

Defendant

THIS MATTER is before the Court on Plaintiff Tatvana Mason's Motion to Alter [Dkt

#14] the Order Denying Plaintiff's Amended Motion for Leave to Proceed *in forma pauperis* and dismissing the case with prejudice [Dkt. #13]. Plaintiff argues that she will suffer manifest injustice should the existing dismissal of her complaint with prejudice remain unaltered, because she would then be unable to bring a complaint in any jurisdiction to enforce the Affidavit of Support signed by her husband. Plaintiff further argues that her existing Washington State Court cases are not seeking to enforce the affidavit of support and, therefore, do not put this court in the position of reviewing, reversing, or simultaneously considering legal issues brought in state court. Additionally, the Plaintiff has acquired an attorney to represent her in this case and that attorney has entered an appearance.

Mason's motion to alter / reconsider the existing judgment is **GRANTED**.

ORDER - 1

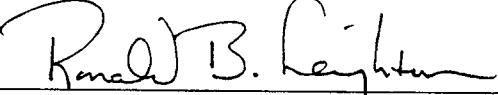
1 Mason's case is **RE-OPENED** and the Order dismissing it with prejudice is rescinded.
2

3 Mason's motion to proceed *in forma pauperis* is **GRANTED**.
4

5 The Court notes that two days after filing this Motion, Mason filed a Notice of Appeal of
6 the underlying Order [*see* Dkt. #17]. If and to the extent the Ninth Circuit's leave to enter this
7 Order is required, under Fed. R. Civ. P. 62.1 and F.R.A.P. 12.1, the Court states that, if the case
8 were remanded for the limited purpose of granting the Motion, the Court would do so.
9

10 **IT IS SO ORDERED.**

11 Dated this 10th day of October, 2017.
12

13 
14

15 Ronald B. Leighton
16 United States District Judge
17
18
19
20
21
22
23
24
25
26
27
28