

19-5823

NO. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

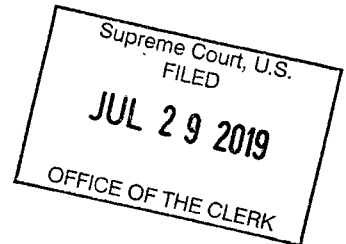
JASON ALSTON,

Petitioner,

vs.

ARIANNA W. EASTMAN; ANNETTE M. THOMAS

Respondent.



On appeal to the United States Court of Appeals for the Eleventh Circuit

Docket No. # 19-11708-E

District Court Docket No. # 1:18-cv-5343-SCJ

PETITION FOR WRIT OF CERTIORARI

Jason Alston
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July 29, 2019

Petitioner is a Pro Se litigant

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QUESTION(S) PRESENTED

- i. Whether United States Court of Appeals for the Eleventh Circuit
abuse its discretion in denying petitioner Motion for leave to proceed
in forma pauperis?

CERTIFICATE OF INTERESTED PERSONS

The Petitioner of the record certifies that the following listed persons have an Interest in the outcome of this case. These representatives are made in order that the Honorable judges of the Court may evaluate possible disqualification or recusal.

INTERESTED PARTIES

1. Jason Alston
2. Arianna W. Eastman
3. Annette M. Thomas
4. Allstate (Insurance Company)

CORPORATE DISCLOSURE STATEMENT

The petitioner has no parent corporation or publicly held company that owns 10% or more of its stock.

Respectfully Submitted, this day 29 July, 2019.

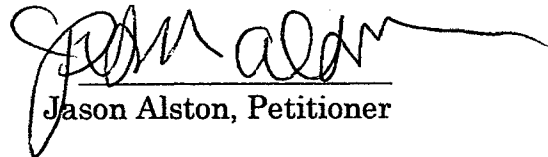

Jason Alston, Petitioner

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TABLE OF AUTHORITIES

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California Men's Colony v. Rowland, 939 F. 2d 854 –

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PETITION FOR WRIT OF CERTIORARI

Petitioner, Jason Alston, respectfully prays for a writ of certiorari to review the Order of the United States Court of Appeals for the Eleventh Circuit.

OPINIONS BELOW

The judgment of the United States Court of Appeals for the Eleventh Circuit Order was entered and filed on July 15, 2019. (See Appendix A).

The judgment of the United States District Court Opinion and Judgment. (See Appendix B)

JURISDICTION

The judgment of the United States Court of Appeals for the Eleventh Circuit Order was entered and filed on July 15, 2019. (See Appendix A). This jurisdiction of this Court is invoked under 28 U.S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS

The 14th Amendment of the U.S. Constitution provides, in relevant part, that

"nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

STATEMENTS OF CASE

A Motion for leave to proceed in forma pauperis was filed with the United States District Court for the Northern District of Georgia Atlanta Division and was Granted. (See District Court Docket No. # 1:18-cv-5343-SCJ). A Motion for leave to proceed in forma pauperis was filed with the United States Court of Appeals for the Eleventh Circuit attached with Plaintiff's Notice of Appeal and was denied.

REASONS FOR GRANTING THE WRIT

With Respect to the United States Court of Appeals for the Eleventh Circuit This Honorable Court error in denying the Petitioner's Motion for leave to proceed in forma pauperis.

In California Men's Colony v. Rowland, 939 F. 2d 854 - Court of Appeals, 9th Circuit 1991 at 856

We must apply these principles of statutory construction to the federal in forma pauperis statute, codified at 28 U.S.C. § 1915, which provides in relevant part:

§ 1915. Proceeding in forma pauperis

- (a) Any court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees and costs or security therefor, by a *person* who makes affidavit that he is unable to pay such costs or give security therefor 28 U.S.C. § 1915(a) (emphasis added)

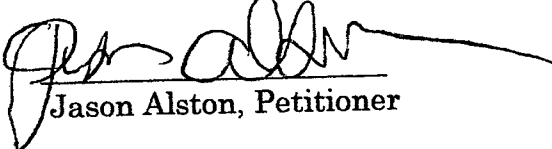
We hold that associations are "persons" within the meaning of 28 U.S.C. § 1915(a), and hence that they may proceed in forma pauperis. If we have misread the true intention of Congress, it may of course alter the statute so as to preclude associations from qualifying for in forma pauperis status. *California Men's Colony v. Rowland*, 939 F. 2d 854 - Court of Appeals, 9th Circuit 1991 at 859

The petitioner cannot afford to pay the Court cost for the United States Court of Appeals for Eleventh Circuit nor can the petitioner get another loan nor have The petitioner of anything of value that can be sold to cover this Court Cost. This Petition is made with good faith and not for delay nor for harassment.

CONCLUSION

For all the reasons stated above the petition for a writ of certiorari should be Granted.

Respectfully submitted this the 29 day of July, 2019.


Jason Alston, Petitioner

By: Jason Alston

Petitioner and Pro se

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