

19-5958
No.

Supreme Court, U.S.

FILED

SEP 06 2019

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Thomas Ritter Helm,
Petitioner,

v.

Lisa Lorraine Hauser,
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*.

Please check the appropriate boxes:

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

N/A

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 hereto.

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

The appointment was made under the following provision of law: _____, or

a copy of the order of appointment is appended.



(Signature)

ORIGINIA

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

I, Thomas Ritter Helm, 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	\$ 1,180.00	\$ N/A	\$ 1,180.00	\$ N/A
Self-employment	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Income from real property (such as rental income)	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Interest and dividends	\$ 0.02	\$ N/A	\$ 0.02	\$ N/A
Gifts	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Alimony	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Child Support	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Retirement (such as social security, pensions, annuities, insurance)	\$ 1,967.00	\$ N/A	\$ 1,967.00	\$ N/A
Disability (such as social security, insurance payments)	\$ 1,809.70	\$ N/A	\$ 1,809.70	\$ N/A
Unemployment payments	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Public-assistance (such as welfare)	\$ 0.00	\$ N/A	\$ 0.00	\$ N/A
Total monthly income:	\$ 4,956.72	\$ N/A	\$ 4,956.72	\$ N/A

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>STARBASE Kelly</u>	203 Galaxy Rd., Ste 112 JBSA-Lackland <u>San Antonio, TX 78236</u>	<u>05 Sept 2017 – Present</u>	<u>\$1,000.00</u>
<u>Majestic Theater</u>	208 E. Houston Street <u>San Antonio, Texas 78205</u>	<u>05 Sept 2017 – Present</u>	<u>\$180.00</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>\$ N/A</u>

4. How much cash do you and your spouse have? \$ 10.00 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 (Air Force Federal Credit Union)</u>	<u>\$ 72.37</u>	<u>\$ N/A</u>
<u>Savings (Air Force Federal Credit Union)</u>	<u>\$ 149.74</u>	<u>\$ N/A</u>
<u>Roth IRA (Edward Jones)</u>	<u>\$ 1,598.37</u>	<u>\$ N/A</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 \$180,000.00 Other real estate
Value N/A

Motor Vehicle #1
Year, make & model 1999 Toyota Corolla Motor Vehicle #2
Value \$1,550.00 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
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<u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
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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>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>1,086.03</u>	\$ <u>N/A</u>
Are real estate taxes included? <u>X</u> Yes <u> </u> No		
Is property insurance included? <u>X</u> Yes <u> </u> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>225.00</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>100.00</u>	\$ <u>N/A</u>
Food	\$ <u>250.00</u>	\$ <u>N/A</u>
Clothing	\$ <u>15.00</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>15.00</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>75.00</u>	\$ <u>N/A</u>
Transportation (not including motor vehicle payments)	\$ <u>90.00</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc. (Telephone, Internet and Cable TV)	\$ <u>378.01</u>	\$ <u>N/A</u>

	You	Your spouse
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's(included-mortgage)	\$ 0.00	\$ <u>N/A</u>
Life (additional)	\$ 272.10	\$ <u>N/A</u>
- CUNA Mutual Insurance Society - \$40/month		
- Columbian Life - \$64.60/month /		
- OSGLI Insurance - \$167.50/month		
Health (deducted from annuity)	\$ 0.00	\$ <u>N/A</u>
Motor Vehicle	\$ 86.59	\$ <u>N/A</u>
Other: <u>N/A</u>		
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ 0.00	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ 0.00	\$ <u>N/A</u>
Credit card(s)	\$ 1,075.71	\$ <u>N/A</u>
Department store(s)	\$ 0.00	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ 0.00	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others (50% of annuity)	\$ 1,014.68	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0.00	\$ <u>N/A</u>
Other (specify): <u>Home security (Vivent)</u>	\$ 53.48	\$ <u>N/A</u>
Other (specify): <u>American Home Shield</u>	\$ 66.99	\$ <u>N/A</u>
Total monthly expenses:	\$ 4,803.59	\$ <u>N/A</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.

See attachment entitled Additional Monthly Income Expected.

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.

The Petitioner is operating monthly expenses on an extremely tight budget. He cannot reduce or eliminate life insurance benefiting his three daughters upon his death. Petitioner has been classified by his cardiologist, in writing, that he is at high risk for sudden cardiac death.

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

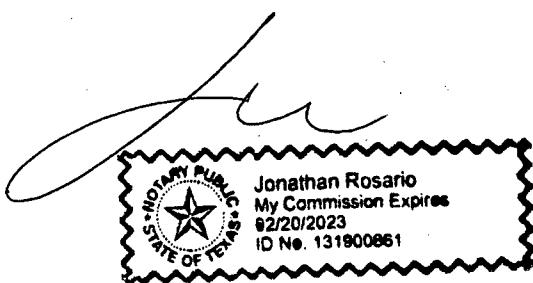
Executed on: September 06, 2019



(Signature)

1 Attachment:

Additional Monthly Income Expected



Additional Monthly Income Expected

I, Thomas Ritter Helm, will turn 60 years old on October 27, 2019. I am to start receiving my retirement pay from the Air Force Reserve at that age. The retirement section has stated that it may take a couple months for the money to begin flowing and cannot provide an accurate figure at this time regarding the amount of that retirement pay. When the pay does start, my former spouse will receive a portion of it as agreed upon in a Revised Nunc Pro Tunc Decree of Divorce.

This one attachment to the Affidavit or Declaration in Support of Motion for Leave to Proceed *In Forma Pauperis*, is executed on: September 06, 2019



(Signature)