

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

19-6098

IN THE SUPREME COURT OF THE UNITED STATES

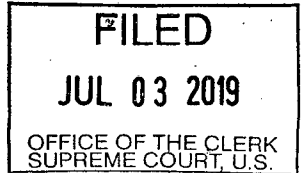
Pablo Enrique Rosado Sánchez— PETITIONER

vs.

Puerto Rico Department of Education et. als.— RESPONDENT(S)

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.



ORIGINAL

Please check the appropriate boxes:

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

U.S. District Court for the District of Puerto Rico;

U.S. Court of Appeals for the First Circuit

☐ Petitioner has not previously been granted leave to proceed in forma pauperis in any other court.

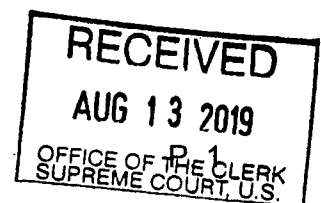
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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.

  
Pablo Enrique Rosado Sánchez



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

I, Pablo Enrique Rosado Sánchez, 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<br>the past 12 months |               | Amount expected<br>next month |               |
|--|---|---------------|-------------------------------|---------------|
|  | You   | Spouse        | You                           | Spouse        |
| Employment   | \$1,566.43  | \$ n/a        | \$ see additional page        | \$ n/a        |
| Self-employment  | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| Income from real property<br>(such as rental income)                       | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| Interest and dividends   | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| Gifts  | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| Alimony  | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| Child Support  | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| Retirement (such as social<br>security, pensions,<br>annuities, insurance) | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| Disability (such as social<br>security, insurance payments)                | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| Unemployment payments  | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| Public-assistance<br>(such as welfare)                                     | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| Other (specify):   | \$ n/a  | \$ n/a        | \$ n/a                        | \$ n/a        |
| <b>Total monthly income:</b>   | <b>\$1,566.43</b>                                   | <b>\$ n/a</b> | <b>\$ n/a</b>                 | <b>\$ n/a</b> |

**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 |
|--|--------------------------------------|---------------------|-------------------|
| Puerto Rico<br>Department of Education | Teniente César González Ave.         | 2010 to present     | \$1,900.00 (2019) |
|  | Esquina Calaf, Hato Rey PR 00919     |                     |                   |
|  | Marcelino Caninio School; (closed)   | 2010 to 2011        |                   |
|  | Barrio Maguayo, Dorado P.R.          |                     |                   |
|  | María Libertad Gómez School;(closed) | 2011 to 2012        |                   |
|  | Levittown-Toa Baja P.R.              |                     |                   |
|  | Pedro López Caninio School; (closed) | 2012 to 2014        |                   |
|  | Dorado, P.R.                         |                     |                   |
|  | Ricardo Arroyo Laracuente School;    | 2016 to 2019        |                   |
|  | Dorado, PR                           |                     |                   |

**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>not applicable</u> | <u>not applicable</u> | <u>n/a</u>          | <u>n/a</u>        |

**4. How much cash do you and your spouse have? \$ n/a**

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>Banco Popular Puerto Rico</u><br><u>Checking Account</u> | <u>\$ 0.00</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 n/a      ☐ Other real estate Value n/a

**☒ Motor Vehicle #1**

Year, make & model 2005, Toyota Corolla

Value \$2,484-\$3,651 according to Kelley Blue Book

Private Party Value; Trade-in value: \$1,256 -\$1,901

**☐ Motor Vehicle #2**

Year, make & model Value Value

**☐ Other assets**

Description not applicable

Value

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

| Business  | Amount owed to you  | Amount owed to your spouse |
|---|---------------------|----------------------------|
| Banco Santander Puerto Rico<br>Employer Department of Education of P.R. | see additional page | n/a                        |

**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 |
|------|--------------|-----|
| n/a  | n/a          | n/a |

**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<br>(include lot rented for mobile home)                    | n/a                    | n/a               |
| Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No |                        |                   |
| Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No |                        |                   |
| <b>Utilities (electricity, heating fuel,<br/>water, sewer, and telephone)</b>            | <b><u>\$115.98</u></b> | <b><u>n/a</u></b> |
| Home maintenance (repairs and upkeep)  | <u>n/a</u>             | <u>n/a</u>        |
| <b>Food</b>  | <b><u>\$122.00</u></b> | <b>n/a</b>        |
| Clothing   | n/a                    | n/a               |
| Laundry and dry-cleaning   | n/a                    | n/a               |
| Medical and dental expenses  | see additional page    | n/a               |
| <b>Transportation<br/>(not including motor vehicle payments)</b>                         | <b>\$121.00</b>        | <b>n/a</b>        |
| <b>Recreation,<br/>entertainment, newspapers, magazines, etc.</b>                        | <b>\$5.00</b>          | <b>n/a</b>        |
| <b>Insurance (not deducted from wages<br/>or included in mortgage payments)</b>          |                        |                   |
| Homeowner's or renter's  | n/a                    | n/a               |

|  |                   |            |
|--|-------------------|------------|
| Life   | n/a               | n/a        |
| Health   | \$263.93          | n/a        |
| Motor Vehicle  | \$24.75           | n/a        |
| Other:   | n/a               | n/a        |
| <b>Taxes</b> (not deducted from wages or included in mortgage payments)<br>(specify): <u>Local Tax</u> |                   |            |
|  | \$36.17           | n/a        |
| <b>Installment payments</b>  |                   |            |
| Motor Vehicle  |                   |            |
| Credit card(s)   | \$484.00          | n/a        |
| Department store(s)  |                   |            |
| Other: 2 Personal Loans  | \$429.08          | n/a        |
| Alimony, maintenance,<br>and support paid to others  | n/a               | n/a        |
| Regular expenses for operation of business,<br>profession, or farm<br>(attach detailed statement)      | n/a               | n/a        |
| Other (specify): Student Loans,<br>Title Loan  | \$136.38          | n/a        |
| <b>Total monthly expenses:</b>   | <b>\$1,738.29</b> | <b>n/a</b> |

**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.

**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:

**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 [X] No

if yes, how much?

If yes, state the person's name, address, and telephone number:

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

My credit is unfairly damaged as a consequence of all this problem with discrimination at work, and also by the unfair actions of a main local bank, which I also sued for Fair Credit Reporting Act Violations and Fair Debt Collection Practices Act Violations.

This problem also brought Retaliation, a well known fact at the E.E.O.C., but no matter the First Circuit didn't made justice, by allowing all kind of unnecesary delays without any penalty to the defendant back then, just at the District Court also allowed, no matter it is the government of Puerto Rico, currently investigated, even more for acts of corruption.

The District Court Magistrate Judge Bruce J. McGiverin unfairly denied the weight of the evdience I brough to the District Court of Puerto Rico, and because the Mandate of the First Circuit was to wait for the Final Judgment at the District Court, I filed my Petition for Writ Certiorari as fast as possible.

But a main Bank has resources to delay this Cases for many years most people can't afford, including me.

The accumulated debt on student loans and credit cards, as well as the unfair damage from false credit reports, from a bank that doesn't care at all about us, plus the unfair damages to my reputation at work, are simply not all repaired with money; specially the reputation damages, much less with a Judge doing what Judge McGiverin did recently, applauding a multimillionaire bank who does not respect the Fair Credit Rporting Act, or the Fair Debt Collection Practices Act.

Is true that my close Family helped me, but that implied for them also lots of sacrifices that I will have to be paid as fast as possible, like the mortgage from my Parents, one of them, my Father who Passed Away last October 2018, as well as credit card debt from my Mother, and my Father, no matter He is not with us.

Plus, the Retaliation damages continue, and no matter all the evidence arrived fast to the First Circuit, they did nothing, and also created delays, disregarded and minimized the Laws against Discrimination like the Appellee did, delays created at the District Court and the First Circuit by some Judges, no matter I denounced them with evidence of Judicial Mkisconduct, their colleges dismissed the complaints without paying attention to the evidence and equally important, to the Judicial Misconduct Law, which they minimize with their updated Guide to Judicial Policy.

I am including evidence that shows my response in opposition to their Judicial Council decision that simply repeated the opinion of the other Judges, is also Judicial Misconduct, and no matter it was originally entered at the P.A.C.E.R. just as I called, Judicial Misconduct, it was changed to "Informative Motion" and locked from Public View:

Not even myself, who was the one who filed that response, is allowed to download a copy from the P.A.C.E.R, which shows the official numbers at the First Circuit, no matter I filed those document to be posted, not restricted to anyone, including myself.

Retaliation could leave me without income, even as I type right now, and the First Circuit received all the evidence that clearly shows, I was unfairly relocated to a distant location, where it could be easy to Retaliate even more, Why?

Because I am not doing any kind of job at the Manati Technological Institute, and even the female director of that Institute, clearly informed to me personally, the first day I arrived there with a letter explaining, that she was not contacted at all by anyone about this relocation, and she had no job there for me.

There was no investigation, starting from the employer who I sued, followed by the E.E.O.C investigator Carlos González, who was just required to try to have a mediation with the employer in this Case, and if didn't work, he just had to wait;

Until the employer decided to answer, in this Case more than 1 year 6 months later, with a response that simply shows no investigation was done, and is a misrepresentation of the events that took place, as my Interrogatory included for the Supreme Court, clearly shows.

Their investigators and arbitrators, and all the chain of people who had the chance to investigate this Case, all ended repeating with their actions, the same that the person who really practiced Sexual Harassment at that closed School Pedro Lopez Canino, did:

Because the legal system of Puerto Rico defends that people are accused and penalized by mere suspicion, without investigating or verifying anything before proceeding with sanctions, former school director Mrs. Ivelisse Hernández took advantage of it, in order to deviate an investigation that was clearly pointing to herself, and she avoided been investigated, but investigators and arbitrators are also part of this, because knowing all that is true, they simply don't care at all, because was what clearly evidenced from 2 of them, with the 2 witnesses I included, last April 23<sup>rd</sup> 2019 with their Retaliation:

But investigators, are paid by the Appellee, the government, anyway, no matter they don't really investigate, and the Legal System accepted this through the years;

With the help of people like them, people who are just paying attention to earn a higher salary with a high position at the government, and will use any means not to affect that, and this includes people that also earn their money anyway, no matter they do a poor job that is actually no job, and can easily fabricate accusations to people, that are a threat for them, or do not respond to their aspirations, like Mrs. Ivelisse Hernández did.

But many Judges don't care either, and I am including evidence, so this chain of people is bigger than before, and the years keep passing and nothing is done, not even with Retaliation evidence.

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

Executed on: August 10, 2019

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*Pablo Enrique Rosado Sánchez*

## Additional Page

On Page 2, I didn't wrote any amount as my expected salary for next month:

I am sending evidence of Retaliation since April 23<sup>rd</sup> 2019 to the U.S. Court of Appeals for the First Circuit, but all the Appellate Judges did was to say is more important to follow the Bankruptcy procedures the Appellee, the same one the evidence indicates is sponsoring discrimination, initiated.

With this, the Appellate Judges found a way to deny the full review of my Appeal as well as all Cases against the Government, no matter this is against a right we have, to have our Appeals fully reviewed.

In practical terms, the Appellate Judges and the District Court Judges are making Judicial Discretion to evaluate Appeals, denying our right.

And that is against the Rules, and also, that sponsors Discrimination and Retaliation, creating unnecessary delays people who discriminate appreciate, because that gives them more time.

With that panorama, I don't know if I will have a salary next month, or from where is going to come.

**But the Retaliation evidence demonstrates, that there was no enforcement of the Laws against Discrimination or Retaliation, not even basic routine procedures of investigation were respected.**

Pablo Enrique Rosado Lanchas