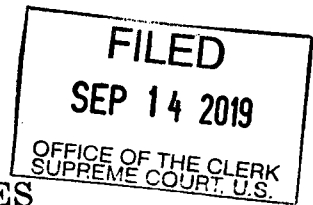


19-6690

No. _____

ORIGINAL



IN THE

SUPREME COURT OF THE UNITED STATES

Molly A. Mahany — PETITIONER (*pro se*)
(Your Name)

① City of Buffalo vs. *ny*;
Police Department, *ny*;
Erie County District Attorney, *ny*;
OFFICER, *ny*;
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*.

Please check the appropriate boxes:

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

☒ 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.

Molly A. Mahany
(Signature)

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

I, Molly A. Mahanff, 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</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Gifts	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Child Support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>1864.⁰⁰</u>	\$ <u>N/A</u>	\$ <u>1864.⁰⁰</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>1864</u>	\$ <u>N/A</u>	\$ <u>1864</u>	\$ <u>N/A</u>

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
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A

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
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A

4. How much cash do you and ~~your spouse~~ have? \$ 80.00
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
Checking	\$ 75.00	\$ N/A
Savings	\$ - 0 -	\$ N/A
Money Market	\$ 05.00	\$ N/A

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 2010 Buick Lucerne
Value \$5500.00

☐ Motor Vehicle #2
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
1. The Respondent	\$ Substantial (Need Actively)	\$ N/A
2. Estate of Late Spouse (Bankrupt)	\$ Substantial (Need)	\$ N/A
3. Mr. Robert J. Mahoney (broker)	\$ 1/3 of profits from Sale of Family Home (Believe no longer there)	\$ 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
N/A	N/A	N/A
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 (include lot rented for mobile home)	\$ 650. ⁰⁰	\$ N/A
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 80. ⁰⁰	\$ N/A
Home maintenance (repairs and upkeep)	\$ 50. ⁰⁰	\$ N/A
Food	\$ 400. ⁰⁰	\$ N/A
Clothing	\$ 200. ⁰⁰	\$ N/A
Laundry and dry-cleaning	\$ 100. ⁰⁰	\$ N/A
Medical and dental expenses	\$ 350. ⁰⁰	\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>400.⁰⁰</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>80.⁰⁰</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>0</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>225.⁰⁰</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>600.⁰⁰</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): <u>Storage</u>	\$ <u>400.⁰⁰</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>3535</u>	\$ <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.

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? \$80.00

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

"Anything Printed" (Sue) (716) 592-1420
42 E. Main Street, NY 14147
Springville

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

It took 40 years of non-stop labor to become financially self-sufficient. I am broke today solely due to my inability to procure police protection law enforcement, access to County Court House as well as chronic long term \$1983 violations by the Respondent

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

Executed on: 11/13/14, 2014

I hereby certify that this is a true copy of certificate on file in the Town of Sardinia, Erie County, New York

Jennifer L. Bray
ON THIS 11 DAY OF November, 2014, BEFORE ME PERSONALLY CAME

Molly Mahany
TO ME PERSONALLY KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DOCUMENT.

Jennifer L. Bray
NOTARY PUBLIC

JENNIFER L. BRAY
Notary Public, State of New York
Qualified in Erie County
No. 01ER629258
My Commission Expires Sept. 24, 2020

Molly A. Mahany, prose
(Signature)

D 6

2. Having been deprived of the police protection, due process, access to courts, law enforcement, & crime victim's advocacy, to which she has always been due and the deprivation of which was somehow sometimes justified via the false evidence herein, all of the Petitioner's assets, resources, and entitlements were ultimately illegally and impermissibly seized, and thereafter conveyed &/or otherwise distributed, by third parties.

3. Although the Petitioner has routinely sought the return of &/or restitution for her stolen properties and assets, etc., she has yet to be afforded any means of legal redress therefore.

4. In fact, and although the Petitioner essentially could *not* be more victimized, the Respondents, the courts, et al., have yet to even recognize that *the Petitioner is a crime victim*.

5. As such, the Petitioner, alone, has wholly funded attempting to replace, restore, repair, &/or otherwise re-acquire what was, prior to being stolen, the sum total of forty years of arduous work.

6. Some of these expenses have caused the Petitioner to incur substantial credit card debt.

7. The Respondent's Section 1983 violations, in mere minimal part alone, have also destroyed, and do now continue to destroy, the Petitioner's credit.

8. Having been denied all avenues of available legal redress for such violations, the Petitioner somewhat recently had to pay \$ 2,000.00 to repair her credit, as much as it can be repaired at this point.

9. Furthermore, the Petitioner's vehicle has been vandalized at least six to eight times.

10. Without a police report documenting such vandalism, the Petitioner has not been able to seek restitution through her insurance for the repair expenses incurred.

11. The Respondent's Section 1983 violations have also caused the theft of well over \$ 300,000.00 of the Petitioner's personal property, the loss of the Petitioner's business &/or her sources of income, and the fraudulent conversion of three pieces of her real property, etc..

12. The Petitioner has no health insurance, and pays all medical & dental expenses out of pocket, because the Section 1983 violations herein.

13. As such, the Petitioner lives on a small amount of retirement income & the income from an annuity.

14. The Petitioner has substantial debts, which she incurred as a result of said Section 1983 violations, themselves, as well as the expense of her ongoing attempts to procure some just remedy as to the matter herein.

8. Having been denied all avenues of available legal redress for such violations, the Petitioner somewhat recently had to pay \$2,000.00 to repair her credit, as much as it can be repaired at this point.
9. Furthermore, the Petitioner's vehicle has been vandalized at least six to eight times.
10. Without a police report documenting such vandalism, the Petitioner has not been able to seek restitution through her insurance for the repair expenses incurred.
11. The Respondent's Section 1983 violations have also caused the theft of well over \$300,000.00 of the Petitioner's personal property, the loss of the Petitioner's business &/or her source of income, and the fraudulent conversion of three pieces of her real property, etc.
12. The Petitioner has no health insurance, and pay a full medical & dental expenses out of pocket, because the Section 1983 violations herein.
13. As such, the Petitioner lives on a small amount of retirement income & the income from an annuity.
14. The Petitioner has substantial debts, which she incurred as a result of said Section 1983 violations, themselves, as well as the expense of her ongoing attempts to procure some just remedy as to the matter herein.

15. The Petitioner was again denied employment, several weeks ago, because of the false evidence created and disseminated by the Respondents.

16. At this point, the Petitioner would find it far easier, and far less personally intrusive, to simply pay the filing fee of \$ 300.00, particularly given that she has already lost millions of dollars because of these ongoing, albeit unacknowledged, crimes.

17. That is, if the Petitioner had \$ 300.00, she would gladly pay it to this Court, in exchange for any hope of finally being availed a lawful avenue of prospective remedy &/or resolution for at least some of the crimes committed herein, which is all the Petitioner has ever wanted and sought to procure, but has consistently been deprived, for the previous 18 year period.

18. The Petitioner is unable to pay said filing fee &/or so doing would cause her substantial hardship. i.e. she would have to sleep in her car or not eat for several weeks, at this time.

19. The Petitioner will forever be deprived of the justice due, and the Respondents will be rewarded for continuing to commit their crimes, if not allowed to file her Petition for Writ of Certiorari *in forma pauperis*.

15. The Petitioner was again denied employment, several weeks ago, because

of the false evidence created and disseminated by the Respondents.

16. At this point, the Petitioner would find it far easier, and far less personally intrusive, to simply pay the filing fee of \$ 300.00, particularly given that she has already lost millions of dollars because of these ongoing, albeit unacknowledged, crimes.

17. That is, if the Petitioner had \$ 300.00, she would gladly pay it to this

Court, in exchange for any hope of finally being availed a lawful avenue of prospective remedy & for resolution for at least some of the crimes committed herein, which is all the Petitioner has ever wanted and sought to procure, but has consistently been deprived for the previous 18 year period.

18. The Petitioner is unable to pay said filing fee & for so doing would cause

her substantial hardship, i.e. she would have to sleep in her car or not eat for several weeks, at this time.

19. The Petitioner will forever be deprived of the justice due, and the Respondents will be rewarded for continuing to commit their crimes, if not allowed to file her Petition for Writ of Certiorari in former petitions.

No.: _____

SUPREME COURT OF THE UNITED STATES

Molly Ann Mahany,

Petitioner, *pro se*,

v.

i. City of Buffalo Police Department, State of New York; &

ii. Erie County District Attorney's Office, State of New York,

Respondents.

**On Petition for Writ of Certiorari to the United States Court of
Appeals for the Second Circuit**

**AFFIDAVIT IN SUPPORT OF PETITIONER'S MOTION FOR
LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Molly Ann Mahany, Petitioner, *pro se*, hereinafter "the Petitioner," makes this Affidavit in support of her Motion for Leave to Proceed *In Forma Pauperis*. The Petitioner attests that the assertions herein are true, accurate, and correct, to the best of her knowledge, information, recollection, and belief:

She respectfully requests that this Motion be granted for the reasons, in part, to follow:

1. The Petitioner has long been subjected to Section 1983 violations, by the afore-named Respondents.

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2. Having been deprived of the police protection, due process, access to courts, law enforcement, & crime victim's advocacy, to which she has always been due and the deprivation of which is &/or was somehow sometimes justified via the false evidence herein, all of the Petitioner's assets, resources, and entitlements were ultimately illegally and impermissibly seized, and thereafter kept, conveyed, &/or otherwise distributed by third parties.

3. Although the Petitioner has routinely sought the return of &/or restitution for her stolen properties and assets, etc., she has yet to be afforded any means of legal redress therefore.

4. In fact, and although the Petitioner essentially could *not* be more victimized, the Respondents, the Courts, et al., have yet to even recognize that the Petitioner is a *crime victim*.

5. As such, the Petitioner, alone, has wholly financed attempting to replace, restore, repair, &/or otherwise re-acquire what was, prior to being illegally seized, the sum total of forty years of arduous work.

6. Some of these expenses have caused the Petitioner to incur substantial credit card debt.

7. The Respondent's Section 1983 violations, in mere minimal part alone, have also destroyed, and do now continue to destroy, the Petitioner's credit.

8. Somewhat recently, as she has long been deprived of every available avenue of legal recourse &/or redress for said Section 1983 violations, the Petitioner had to pay \$ 2,000.00 just to repair the resultant damage to her credit, as much as her credit is able to be repaired at this point, despite her lack of legal accountability for all of the damage thereto.

9. Furthermore, the Petitioner's vehicle has been vandalized at least seven or eight times.

10. Some of said acts were committed while the Petitioner's children were sometimes stranded at night and in parts unknown, after which the Petitioner, alone, financed the tow to a garage, the repairs themselves, and any necessary cab/uber fares for herself and her children in the interim, etc..

11. Unable to procure a police report documenting the commission of such acts, as well as numerous other crimes committed against the Petitioner, her property, her livelihood, her children, et al., the Petitioner has yet to receive any such recompense therefore from her insurance companies.

12. The Respondent's Section 1983 violations also empowered an unknown third party to cash in the Petitioner's whole life insurance policy and obtain the cash value thereof, all without the Petitioner's knowledge, consent, &/or permission to so do.

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13. The Respondent's Section 1983 violations have further empowered, if not outright encouraged, various third parties to steal, destroy, fraudulently convey, &/or otherwise pilfer well over \$ 300,000.00 of the Petitioner's personal property, one of her vehicles, the Petitioner's business, her sources of income, and three pieces of her real property, which were either destroyed or fraudulently conveyed, etc..

14. The Petitioner has no health insurance, and pays all medical & dental expenses out of pocket, because the Section 1983 violations herein.

15. As such, the Petitioner lives on a small amount of retirement income & the income from an annuity.

~~14~~. The Petitioner has substantial debts, which she primarily incurred as a result of said Section 1983 violations, themselves, as well as the costs incurred by way of her ongoing efforts to procure some measure of just resolution to the criminal matter herein.

~~15~~. Several weeks ago, the Petitioner was again denied employment due to the false evidence created and disseminated by the Respondents herein.

~~16~~. At this point, the Petitioner would find it far easier, and far less personally intrusive, to simply pay the filing fee of \$ 300.00, particularly given that she has already lost millions of dollars because of these ongoing, albeit as yet unacknowledged, crimes.

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17. That is, if the Petitioner had the \$ 300.00 filing fee, she would gladly pay it to the aforesaid Court, in exchange for even the hope of finally being availed a lawful avenue of prospective remedy &/or resolution for at least some of the crimes committed herein, which is all the Petitioner has ever wanted and sought to procure, but of &/or as to which she has routinely and consistently been deprived, for the previous 18 year period.

20. Unfortunately, the Petitioner neither has the \$ 300.00 filing fee nor the credit to borrow said funds at this time.

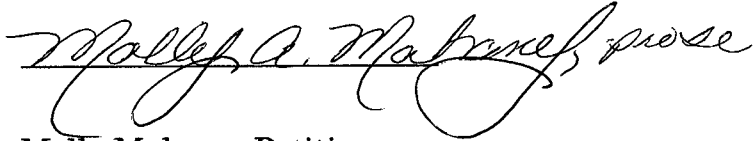
20. Thus, the Petitioner is unable to pay said filing fee at this time &/or doing so would cause her extreme hardship, i.e. she would have to live out of her car &/or not eat for the next several months, which, having resultantly been forced to earlier do so, can be, and already has been, quite precarious.

21. The Petitioner will forever be deprived of the justice due, and the Respondents will be rewarded for continuing to commit their continuing crimes, if she is not allowed to file her Petition for Writ of Certiorari *in forma pauperis*.

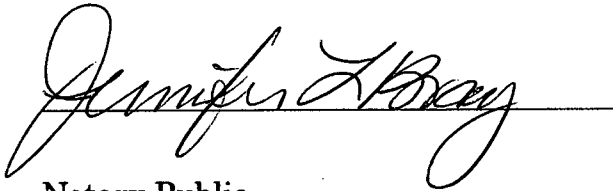
22. The Petitioner most respectfully requests that her Motion for Leave to Proceed *in forma pauperis* now be granted, as justice requires, equity warrants, and the law allows.

Dated: November 4, 2019

I Respectfully Ask For This:


Molly Mahany, Petitioner, *pro se*

Witnessed Before Me 11/11/19 :


Notary Public

JENNIFER L. BRAY
Notary Public, State of New York
Qualified in Erie County
No. 01BR6269258
My Commission Expires Sept. 24, 2020

Molly Mahany

Petitioner, *pro se*

PO Box 7

Sardinia, NY 14134

Phone: 716-598-4161

Email: mollymahany@hotmail.com

Ms. Maeve E. Huggins, Esq.

City of Buffalo Department of Law

1112 City Hall, Buffalo, NY 14202

Phone: 716-851-4317 / Fax: 716-851-4105

Email: mhuggins@city-buffalo.com

Counsel for Respondent

Ms. Michelle Parker, Esq.

Erie County Department of Law

95 Franklin Street #1634

Buffalo, NY 14202

Phone: 716-858-2209

Email: parkerm@erie.gov

Counsel for Respondent