

19-6879

No. _____

ORIGINAL

In the Supreme Court of the United States

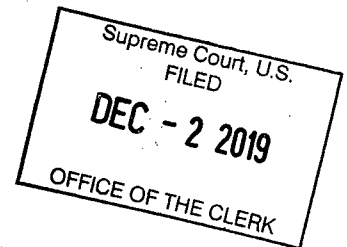
Salim Abdul-Malik

Petitioner

v.

OCA et al

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): DNJ 02/ 1098 (Writ Granted) SDNY 05/1441 (Case Aban./Dismissed) S Ct 04/7577 (Cert Denied. but His Fleuti Issue Later Won in *Vartelas v. Holder* 566 U.S 257 [2012]) DNJ 07-2459 (Petitioner Released Just Prior to Issuance of Writ) EDNY 18-7361 (Compl. Dis. for Supposedly Failure to State Claim and Immunities)

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)

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

I, , am 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 therefore; and I believe I am entitled to redress. I further note that I am currently outside of US borders and was prepared to pay the court fee, courier delivery charges and professional printing costs (\$ 1,200) in which my private party sponsor at the latest moment to have this done such reneged on deal to forward such funds to the Cockel Legal Brief group all at the behest of Respondents. Here (see email colloquy where Petitioner). I was forced to convert the paid brief already completed to IFP case.

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
<u>Freelance Independent Journalist Inactive</u>				
<u>Since the Start of State Matter At Bar Here</u>				
Employment	\$ 0	\$ N/A	\$ 0	\$ N/A
Self-employment	\$ 0	\$ N/A	\$ 0	\$ N/A
Income from real property	\$ 0	\$ N/A	\$ 0	\$ N/A
Interest and dividends	\$ 0	\$ N/A	\$ 0	\$ N/A
Gifts/Survival Stipend	767 Gh Cedis	\$ N/A	\$ 0	\$ N/A
	or \$150 USD			
Alimony	\$ 0	\$ N/A	\$ 0	\$ N/A
Child Support	\$ 0	\$ N/A	\$ 0	\$ N/A
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ N/A	\$ 0	\$ N/A
Disability (such as social security, insur. payments)	\$ 0	\$ N/A	\$ 0	\$ N/A
Unemployment payments	\$ 0	\$ N/A	\$ 0	\$ N/A
Public-assistance	\$ 0	\$ N/A	\$ 0	\$ N/A
Other (specify):	\$ 0	\$ N/A	\$ 0	\$ N/A
Total monthly income:	\$ 767 Gh Cedis	\$ N/A	\$ 0	\$ N/A
	or \$150 USD			

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? \$ N/A

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

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

Financial institution	Type of account	Amount you have	Amount your spouse has
\$ N/A	\$ N/A	\$ N/A	\$ N/A

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

<input checked="" type="checkbox"/> Home	<input type="checkbox"/> Other real estate
Value \$600, 000 USD	Value \$ N/A

*Noted that such property is the subject to the state proceedings that Petitioner brings before the High Court such Respondents for policies and conduct that was inconsistent with Due Process. This parcel is situate inside the US and Petitioner has no access ti but maintained such from afar since his release from INS detention. A state agency has authorized the taking of the parcel outside of law by engaging onto Petitioner *Denial of Access to the Court* and *Obstruction of Justice* (under Civil RICO predicate) to facilitate the usurpation. Such then for agency to illicitly turn over the parcel to a state employee -the sibling of Petitioner in a sham divestiture of title via a bogus adverse possession claim and impermissible fraudulent deed claims. This where recent state judge had denied Petitioner OSC motion to regain control rents from 3rd Party collected by state defendant. This all despite a long prior state court ruling to confirm Petitioner's title to the property. Without such rent proceeds I may not travel to foreign locations to partake in this temporary vocation oa an ICIJ affiliated journalist. Petitioner had survived off a small \$150 (which ends in December 2019) stipend by a neutral party sympathetic to Petitioner cause of fighting against state court rigging of cases of Constitutionally protected persons.

<input type="checkbox"/> Motor Vehicle #1	<input type="checkbox"/> Motor Vehicle #2 Year, make & model
Year, make & model Value \$ N/A	Value \$ N/A

☒ Other Assets
 Descript/Value \$ 2018100245 IP Australia .Value can't be placed until litigation ends

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

Persons owing you money	Amount owed to you	Amount owed to your spouse
<u>N/A</u>	<u>\$ N/A</u>	<u>\$ N/A</u>
<u>N/A</u>	<u>\$ N/A</u>	<u>\$ N/A</u>
<u>N/A</u>	<u>\$ N/A</u>	<u>\$ N/A</u>

7. State the persons who rely on you or your spouse for support

Name	Relationship	Age
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<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	<u>165 Gh Cedi/29 USD</u>	<u>N/A</u>

(include lot rented for mobile home)

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

Utilities (electricity, heating fuel, water, sewer, and telephone)	<u>100 Gh Cedis/\$ 18 USD</u>	<u>\$ N/A</u>
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Home maintenance
(repairs and upkeep)

Food	<u>500 Gh Cedis/\$ 90 USD</u>	<u>\$ N/A</u>
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Clothing	<u>0</u>	<u>\$ N/A</u>
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Laundry and dry-cleaning	<u>6 Ghana Cedis/\$1.20USD</u>	<u>\$ N/A</u>
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Medical and dental expenses 50 Ghana Cedis/ \$9 USD

\$

You

Your spouse

Transportation (not including motor vehicle payments) 20 Gh. Cedis /\$4 USD \$ N/A

Recreation, entertainment, newspapers, magazines, etc. \$ 0 \$ N/A

Insurance (not deducted from wages or included in mortgage payments)

Homeowner's or renter's N/A \$ N/A

Life N/A \$ N/A

Health N/A \$ N/A

Motor Vehicle N/A \$ N/A

Other: N/A \$ N/A

Taxes (not deducted from wages or included in mortgage payments)

(specify): \$ N/A \$ N/A

Installment payments \$ N/A \$ N/A

Motor Vehicle \$ N/A \$ N/A

Credit card(s) \$ N/A \$ N/A

Department store(s) \$ N/A \$ N/A

Other: \$ N/A \$ N/A

Alimony, maintenance, and support paid to others

Regular expenses for operation of business, profession,
or farm (attach detailed statement)

Other (specify):

Total monthly expenses: 847 Ghana Cedis/ \$164 USD Where **Petitioner has been --
maintained on -80 Ghana Cedis or\$ 14 USD**

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.

Petitioner's monthly stipend ends this month December 2019 as benefactors has gone beyond the call of duty.

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? D

☐ Yes If yes, how much? If yes, state attorney's name, address, and phone number

No:

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 but had the sponsor here honored the agreement Petitioner would have relinquished 1,200 to Cockle Legal Briefs for a paid petition as planned

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

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

As I've remained—since October 4, 2001, either on US soil in “entry fiction” or largely in the 3rd World in this “exclusion” from the United States and so to speak the rest of the Western Hemisphere for prior criminal conduct I'd lose all of my savings and assets including my own homes in New York and the Bahamas (leased) to foreclosure and delinquent payments, earned by me in the near six years of immigration detainment over the issue of my admissibility into the US This after my being the first litigant to bring *Fleuti* to the High Court. This being where pet-cert was denied only to be granted on the same grounds in *Vartelas*. Such landmark on *Fleuti*'s non-retroactivity in the High Court holding I fall within the ambit of those who could now move to overcome inadmissibility but I'd relent and will continue to remain outside of the United States As it is NYS agency at the behest of the sibling wishes to depose me from a property that I had inherited over the sibling for which title was confirmed by a prior state court . For 20 years I had shared the benefits of the sole estate residue with the non-heir brother who wishes now to have the property for himself on and sought of state/*quasi* state actors to facilitate such . Specifically here I had anticipated this matter might reach the High Court and had included in the Contract of Sale a term that'd allow for a stipulated amount of legal/court to be relinquished to fees/expenses but as seen in papers attaché here property buyer Adam Glassman on explicit direction by counsel Attorney Michael Romano refused to forward the printing and court fee to Andy Cockel at Cockel Legal Brief for processing of the paid petition that was ready to go all at the last minute under pressure from Respondents. They wish for the serious Constitutional claims here to not see the light of day. As the record shows Glassman otherwise forwarded prior \$505 appeal fee to the COA 2nd Cir (CMD.No. 25)

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

Executed on: ,December 1, 2019 _____(Signature)

Narh Whyte <sweteme21@gmail.com>

Wed, 23 Oct,
18:15

to info, bcc: Michael

Adam

Good day How are you ? At this point and as i discussed with Attorney Romano. I would like to have an amount OF \$1,000 forwarded to Cockel Legal Briefs in Omaha, Nebraska to specifically Andy Cockel .This be hopefully by this Friday or Monday the latest. Again this is not a demand but it is a kind request on an urgent basis between contractees. The amount that would be left in the legal fees balance is certain to be \$900 or over. Your attention to this matter would be greatly appreciated.

Best Regards

Salim Abdul-Malik
23 Oct 2019,
18:20

adam@propertybuyersgroup.com <adam@propertybuyersgroup.com>

to me

No. Not happening. That's as crazy as sending money WU to Africa.

Michael Romano <mromano@frblaw.com>

Wed, 23 Oct,
18:35

to info@propertybuyersgroup.com, Samantha, me

Salim.

Please have Mr. Cockel from Nebraska contact me directly.

Thank you,
Mike

Michael J. Romano
Falcon Rappaport & Berkman PLLC
265 Sunrise Highway, Suite 50
Rockville Centre, New York 11570
T: (516) 599-0888 x 144
F: (516) 599-0889
mromano@frblaw.com

655 Third Avenue, Suite 1400
New York, New York 10017

T: (212) 203-3255

F: (212) 203-3215

Narh Whyte <sweteme21@gmail.com>

Thu, 24 Oct,
15:48

to adam@propertybuyersgroup.com

Sir Adam

I said nothing about sending me a dime -this has an ongoing matter with you twisting and contorting what I said . I asked your originally that you should please send to Andy Cockel \$1000 in Omaha by WU. After consulting with him and his group the WU payment to the owner is unacceptable, So it would have to be to the alternative of a check to the amount of \$1,200 (with an additional 200 for the service of papers he insisting only yesterday after a quote 2 weeks ago of 1000 even) but if you insist to stick to \$1,000 the other 200 can come later. I assume that you dont want to use your credit card as that most people don't care for. So please kindly issued a check for such amount made out to Cockle Legal Briefs and in the memo section Attn Andy Cockel Kindly do so by Friday that is tomorrow October 25, 2019 or over the weekend to Monday.

Cockel Legal Briefs

2311 Douglas St.

Omaha NE

68102

Now please for sake of peace in the future be candid in your assertions- if you can do this I would would appreciate it but still it is your duty according to the terms . Might I remind you n the agreement the amount is for legal fees in the direct ejectment or the collateral actions that flow forth from it. Such does not state "attorney fees" and in any event I am playin the attorney role to the hilt where I am consumed by it. Thank you ole boy. Remember i am not asking you to go over the set limit of legal fees and it is going to a legal service provider there can be no further question. Where I have you down as funding the very start of this matter in December of 2018 so way balk now-its not your money cowboy its mine that I have to pay back

Best Regards
Salim

Narh Whyte <sweteme21@gmail.com>

24 Oct 2019,
16:46

to Michael

Attorney Romano

Good day. As to this matter of you speaking to Andy Cockel is really inappropriate. Your dont represent me and I at this point am not sure if our interests in this thing are aligned. In all candor I see the GCV just looking to to tack on an inflated bill onto the

property for nothing. This barratry is creating serious problems for me where i could be doing my work. Secondly I have a chess mindset when i delve into this legal craft and having your strategies go out open to the world like an IPO is not so swell. The last time this happened with your guy look what happened with the other LP. Now you have been a lawyer for a couple of year the name Cockel should be in your mind someway even if you never tangoed in fed court before.

Now in the start of this affair same action your client turned over to me personally \$600 with out hesitation and the money was properly spent on the action. In in the feds multiple copies and binding is must. Now it seems there is a problem with sending the dough direct and that you need to speak with the legal service provider where he (otherwise his family) has an illustrious history spanning almost 100 years. So please lets do away with that sir. I beg of you. in the name of attorney client-and legal service provider privilege I would ask that you not get into that.

In fact after communicating with Andy just yesterday the move for remitting by western union is out. and Adam would not want to give up his credit card number that leaves a check as payment \$1200 now or \$1, 000 now with 200 (for service of process fees that Andy insists on tacking after the \$1000 quote I got from him early on) to be sent out latter for the full project to be done

This is to be made out to "Cockel Legal Briefs" and for which in the memo section is read "Attn; Andy Cockel"

Cockel Legal Briefs
2311 Douglas St. Omaha NE
68102

24 Oct 2019,
17:02

Michael Romano <mromano@frblaw.com>

to adam@propertybuyersgroup.com, Samantha, me

Salim.

I read your email below. I am advising my client NOT to send any money to Andy Cockel in Omaha unless I speak with Mr. Cockel first.

As for your motion, we have filed our opposition. Let's have the court make a decision. Please discontinue your unnecessarily long, daily emails of jibberish. It is a waste of everyone's time to read through this every day.

Narh Whyte <sweteme21@gmail.com>

24 Oct 2019,
18:47

Best Regards
Salim Abdul-Malik
a/k/a Mujtaba Attia

Cockle Legal Briefs <contact@cocklelegalbriefs.com> Wed, Oct 23, 11:32 PM

to me

Hello:

We accept credit cards or checks but cannot accept Western Union payment. I recommend sending the copy as soon as possible in PDF/A format. Our analyst will give you an estimate including the filing fee and delivery. I noticed the estimate in your email did not include delivery costs. Typically those are in the \$200 range.

Sincerely,

Andy

Andy Cockle

Cockle Legal Briefs

www.cocklelegalbriefs.com

contact@cocklelegalbriefs.com

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Mujtaba Attia <mujattia38@gmail.com> Thu, Oct 24, 8:20 AM

to Cockle

Andy:

OK on the matter of the form of payment . A check it will have to be. No problem on that.

After this there's the matter of the "estimate" in my letter last night. After speaking to you at length on October 10, 2019 telling you of all of the parameters here of my petition (including doing my own formatting, 9000 words of pertinent text, one attorney to be served for 11 Respondents and the desire to use regular postage over FedEx such that the parcel would only need a December 3, 2019 or earlier postmark) in which you had analyzed such situation and quoted 700 for the job and 300 for Supreme Court filing fee. This as being the "bottom line" for the servicing

As you state now that we should send another \$200 that's not a problem either as "estimates are subject to adjustments. The additional \$200 can follow shortly afterwards. Such where the \$1000 disbursement had already been sought out the necessary authorization first. Thank you for your swift reply. Such petition digital file is to be forthcoming by email.

to rlazarus

Attorney Romano:

Well then in a flip to Supreme Court Justice Blackmun's famous quip- then your client has a "fool" for an attorney in telling him to not keep up with his end of contract If you don't want me to tell you the long sweet truth in my responding .stop telling short falsities from the jump. You sent me a communication i replied. This was just another detailed response to another one of your ridiculous demands that you have no shortage of. You should not get hostile with me in you frustration for your pattern of filing bogus actions filled to the rafters with 'untruths'. And for the record in the emails to you and your team I stated **as of late for your client to send the funds to**

Cockel Legal Briefs
2311 Douglas St.
Omaha NE 68102

With the check made out to "Cockel Legal Briefs" and not any and Attention Andy Cockel in the Memo Section.

CLB is a reputable legal service provider-What you are demanding here is unethical my friend. You don't represent me . I hope that is brief enough for you. as this is some jib for your jabba. Have a nice day!

Salim Abdul-Malik



Wed, Oct 23, 6:02 PM

Mujtaba Attia <mujattia38@gmail.com>

to contact

Andy:

Greetings and Good Day! You and I had spoken over the phone in which you had given me a quote of \$700 for the "camera ready" print work to be done so as to forward my petition for writ of certiorari to the US Supreme Court. This was then to tally amount of 1000 whence include filing fee. So what then is the acceptable form of payment. Could I have my associate remit to you the \$1,000 under the name "Andy Cockel" by Western Union. Or would you prefer some other form of turnover. Please let me know as soon as possible. I've already left a message on your machine. Actually some electronic means of transmission of the funds would be best - really My deadline date is December 3, 2019. I await your response. Thank you for your past assistance and courtesy.