

No. 19-7584

Vina K Yazzie- Petitioner

VS.

Mohave County and Steve Latoski- Respondents

ORIGINAL

Supreme Court, U.S.  
FILED

SEP 30 2019

OFFICE OF THE CLERK

**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

The petitioner asks leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

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

Ninth Circuit

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

Signature

*Vina K Yazzie*  
2/3/2020

**AFFIDAVIT OR DECLARATION**

**IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Vina K Yazzie, 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. Estimated average amount of money received from each of the following sources during the past 12 months. Adjustment on any amount that was received weekly, biweekly to show the monthly rate. Gross amounts is used before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months	Amount expected next month
---------------	--	----------------------------

	You Date:	Spouse Date:	You Date:	Spouse Date:
Employment:		2018 W-2 form- 43975.30		
		1/11/19 1,385.48		
		1/25/19 1,452.15		
		2/8/19 1,385.00		
		2/22/19 1,708.04		
		3/8/19 1,897.56		
		3/22/19 2,150.30		
		3/23/18 1,689.58		
		4/6/19 1,390.00		
		4/19/19 2,045.40		
		5/3/19 1,839.71		
		5/17/19 1,913.73		
		5/31/19 1,920.98		
		6/14/19 2,256.56		
		6/28/19 2,294.67		
		7/12/19 1,884.86		
		7/26/19 1,864.91		
		8/9/19 1,914		

Vina's 2018 income

2018 from W-2 4707.40

268.69

3960.00

Total: 8936.09

Together for 2018 income: 52911.39

Walmart stubs direct deposit

6/13/19 228.57

6/27/19 863.65

7/11/19 777.58

7/25/19 779.49

8/8/19 813.22

8/22/19 733.66

9/5/19 630.51 – cut my hours back to 32–33hrs. Every 2 weeks at  
11.50 an hour. Part time only.

Total: 4826.68

Self- employment: zero on both myself and spouse.

Income from real property: zero on both myself and spouse.

Interest and dividends: zero no stocks

Gifts: zero

Alimony: zero

Child Support: zero no child support

Retirement: zero no such payments nor pay outs

Disability: zero, no payments

Unemployment payments 2018: Vina 3,960

Public- assistance: welfare \*\*\*\*\*

Other ( specify ): None N/A

Total monthly income:

1. List my employment history for the past two years, most recent, first.

–Walmart Supercenter recently started

3396 N. Stockton Hill Rd. Kingman, AZ. 86409

Started on 5/24/2019

Gross income: \*\*\*\*\*

–Davis Place

2943 Desert Sky

Bullhead City, AZ. 86442

Started on August 11, 2017

Monthly gross income: 7326.52 for 2017 from W-2 form

4,707.40 for 2018 from W-2 form

2. List my spouse's employment history for the past two years, most recent employer  
First.

– S&S Concrete & Materials, LLC

3000 Pass Canyon Rd. Bullhead City, Az. 86426

Been working for several years now, more then 2 yrs.

\* This year income 2019 with S&S: \*\*\*\*\*

\* 2018 income with S&S: 43975.30

\* When 1<sup>st</sup> hired to S&S Concrete & Materials, LLC is the 1<sup>st</sup> figure below.

Monthly gross income: 10570.79 divided by 12= 880.89916

- West Side Disposal ( 2017 )

7107 N US Highway 95

Golden Valley, Az. 86413 1,500.00 divided by 12= 125

- Midwest Contracting Inc. ( 2017 )

44400 W. Caven Dr.

Maricopa, Az. 85138 8,546.50 divided by 12= 712.20833

3. How much cash do you and your spouse have? \$ 100.00

State any money you or your spouse have in bank accounts or in any other financial institution.

Type of account: Checking Savings

4. List assets and their values that we owns.

Home Value: 35621 full cash value from personal property notice of value from Mohave County Assessor for the year 2019.

Motor vehicle	Year	Make	Model	Geico Insur. value
#1:	2007	Nissan	Crew cab	11,200.00
#2:	2004	Ford F-350	super cab	9,000
#3:	2012	IQ	Scion	5,650.00
#4:	Jeep	Ranger	sport	16,900

Other assets: none

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

- Amount owed to us both is zero.

16,900

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

- MKM, our son age 15.

7. 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.

- Mortgage payments: \$558.18 monthly

- Real estate taxes included? None

- Is property insurance included? Yes, included into the monthly mortgage. The insurance only covers paying off on the house. Insurance does not include anything in the house.

- Amount owned to Federal IRS for 2017: 2,757.87 just made a 200.00 payment this month 9/12/19. own 3,443: State and Federal together.

- Amount owned to Az. State IRS for 2017: 667.00 which is paid off.\*\*\*\*\*
- Utilities ( electricity, water, telephone ) \$287.05 monthly
- Home maintenance ( repairs and upkeep ): AC repairs- \$165.36
- Water pump- new water pump last yr. 200.00 from homedepot.
- Food: \$200.00 every two weeks sometimes more. Here are some added grocery

receipt: Smart & Final- 149.77 on 1/15/19      Not all the receipts  
    170.86 on 2/19/19  
    84.23 on 3/4/19  
    154.81 on 3/25/19  
    40.94 on 4/1/19  
    161.25 on 4/22/19  
    84.88 on 5/6/19  
    76.33 on 5/28/19  
    94.77 on 6/4/19  
    144.06 on 8/19/19

There is a lot missing in between the dates. This is just to give you an idea how much my husband spent on groceries.

- Clothing: School uniforms and school essentials \$161.37
- Laundry and dry cleaning: \$40.00 monthly with water haul, fuel, vehicle insurances & yearly tags, water trailer tires repairs and tire replacements at times with laundry soap/ dryer sheets.
- Medical and dental expenses: We don't have no medical nor dental insurance as of now. Travel about 150 miles to IHS for medical needs.
- Western Arizona Regional Medical Center: 2,580.00 adjusted cost. We pay 860.00 a month until paid off. My husband end up in the emergency room with no insurance.
- Bullhead City Fire Department: First responders to my husbands emergency 1223.41. We have not started paying on this. But we need to start making payments here very soon. Trying to juggled bills so we have a little bit for fuel to get to work. I am thinking maybe 25.00 maybe every time we get paid to start paying, until the Western Arizona Regional Medical Center gets paid off.
- Radiology Associates of Northwest Az, PLC: 1554.00 We not started payment on this too. My plan is to start payment at 25.00 until Western Arizona Regional Medical Center is paid off. Then we will increase payments.
- Transportation for our son, from school to house twice a week: 100.00 a month for fuel. Luckily I have a friend in town where my son goes to school which is about 18 miles away from the house. We traded to haul woods for him this year for the winter. Him and his wife agreed to bring my son home from school when I can't pick him up at the bus stop, because I work from noon to 10pm at night. My husband comes home later around about 5pm and stays home with our son in the evenings while I am at work. This is the only way we can keep up with the bills and the necessities of our home. I was very sick for along time and could not hold down a job for not even a year.

I would work and quit and recover and then try working again. I was diagnose with seizures and epilepsy about 2 years ago and have been on treatment for year now. I think I am recovering from my illness, so now I am working again.

- Recreation, entertainment, newspapers, magazines, ect. None
- Insurance ( not deducted from wages or included in mortgage payments ). None
- Homeowner's or renter's: None
- Life: None
- Health: None
- Motor Vehicle: Four vehicles insurances plus tags every year. About 7-800,00 a year
- GasBuddy membership- 11.76 monthly on the 30<sup>th</sup> of every month  
10.90 was 12<sup>th</sup> of every month
- Golden Valley Cable internet service- 36.95 3<sup>rd</sup> of every month
- Member benefits dischealth- 9.95 3<sup>rd</sup> of every month
- AT&T cell service- 80.14 month on the 27<sup>th</sup>, varies between these 2 numbers from month to month.

82.03 on the 19<sup>th</sup> of July

- Vehicle payment- 485.42 month on the 15<sup>th</sup>  
228.00 month on the 28<sup>th</sup>
- Legal Shield membership- 15.95 on the 26<sup>th</sup> of every month
- Just Answer membership- 22.00 on the 26<sup>th</sup> of every month
- Coronado Law Firm payments- 50.00 suppose to every month but I am every forgetful.
- Capital One payment- 159.00 also on the 26<sup>th</sup> of every month
- Consumer Cellular- 28.77 22<sup>nd</sup> of every month
- Geico auto insurance- 174.54 22<sup>nd</sup> of every month auto DC. I don't know what here. But it looks like we got charge twice this month. ?  
159.55 19<sup>th</sup>, this is our regular monthly payments
- Check # 9004- 50.00 21<sup>st</sup> of every month to Client services. I owe \*\*\*\*
- Walmart credit card- 350.00 paid on the 21<sup>st</sup> one time payment only this month 25.00 minimum payment On the 5<sup>th</sup> of every month. My husband's work vehicle needed tires so we paid the 350.00 and then charged another 400.00 Walmart tires. 80.00 to get them mounted.
- 2-Check # 852 112.00 20<sup>th</sup> of every month to Bank of America credit collection.
- Monthly bank acct. Fees- 12.00 19<sup>th</sup> of every month
- Official check charge- 8.00 16<sup>th</sup> & 7<sup>th</sup>, don't know what this is about.
- MVD tags-186.85 5<sup>th</sup> of Aug. for another year for one of the vehicles. These are not all the vehicles we have. We have 4 vehicles.
- Lees Uniform for school- 74.15 on the 30<sup>th</sup> of July 2019, one time charge.
- Check # 8509- 35.00 23<sup>rd</sup> of every month Bank of America credit collection.

Other:

- Taxes ( not deducted from wages or included in mortgage payments ).  
( specify ): \_\_\_\_\_

- Installment payments: All included in the above information.

Motor Vehicle #1 Jeep 485.82

#2 IQ 228.00

- Credit card(s) #1 \_\_\_\_\_ all included in the above monthly charges- check #

#2 \_\_\_\_\_

#3 \_\_\_\_\_

#4 \_\_\_\_\_

- Department store(s) : Walmart credit card is already included in the above information.

Homedepot: Vina's- 1,500.00

My husband's Homedepot card: 700.00

- Others: Kingman Regional Medical Center, owing about 200.00 from my son emergency visit from an allergy attack and asthma.

- Alimony, maintenance, and support paid to others: None

- Regular expenses for operation of business, profession, or farm ( attach detailed statement ). None

- Other ( specify ): legal payments: 50.00 a month, when ever I remember. I have memory difficulties. I can't seem to remember things. Also included in the above charges.

Total monthly expenses: \_\_\_\_\_ I don't trust my calculations.

8. Do you expect any major changes to to your monthly income or expenses or in your assets or liabilities during the next 12 months? No

9. 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? No, the only thing I pay is memberships to ask an attorney questions, but I really don't get straight answer.

If yes, how much? zero

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

10. 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? No

11. Provide any other information that will help explain why you cannot pay the costs of this case. We are very tight on money. We have to make very dollar count.

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

Executed on: \_\_\_\_\_ 2020. Signature: