

19-8075
No. 20-

In the Supreme Court of the United States

S. PATRICK MENDEL, et al

Petitioner

v.

UBER TECHNOLOGIES INC., et al.

Respondents

*ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT*

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The Petitioner Shawn Patrick Mendel asks leave to file the enclosed Petition for Writ of Certiorari to the Supreme Court of the United States without prepayment of costs and to proceed In Forma Pauperis in accordance with Supreme Court Rule 39. Petitioner has not previously been granted leave to proceed in forma pauperis. Petitioner's affidavit in support of this motion and the Attached Form 4 is attached hereto.

WHEREFORE, Petitioner, Shawn Patrick Mendel, prays for leave to proceed In
Forma Pauperis.

Respectfully submitted this 16th day of March 2020.

A handwritten signature in black ink, appearing to read "S. Patrick Mendel". The signature is fluid and cursive, with a horizontal line underneath it.

S. Patrick Mendel

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

I, Shawn Patrick Mendel, 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	\$ 0	\$ 0	\$ 0	\$ 0
Self-employment	\$ 4,800.00	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify): _____	\$ 0	\$ 0	\$ 0	\$ 0
Total monthly income:	\$ 4800.00	\$ 0	\$ unknown	\$ 0

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
Self employed	1319 Washington Ave San Leandro, CA 94577	6/1/2014 - present	\$ 4800.00
			\$
			\$

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
not applicable no spouse			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 328.00

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

Financial institution	Type of account	Amount you have	Amount your spouse has
Navy Federal Credit Union	Checking	\$ 328.00	\$ 0
		\$	\$
		\$	\$

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

Home
Value not applicable

Other real estate
Value _____

Motor Vehicle #1
Year, make & model 2019 Ford Fusion
Value 17,000.00

Motor Vehicle #2
Year, make & model _____
Value _____

Other assets
Description _____
Value _____

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
none	\$ N/A	\$ N/A
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
None	_____	_____
_____	_____	_____
_____	_____	_____

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)	\$ 800.00	\$ 0
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		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ included in rent	\$ 0
Home maintenance (repairs and upkeep)	\$ 0	\$ 0
Food	\$ 450.00	\$ 0
Clothing	\$ 0	\$ 0
Laundry and dry-cleaning	\$ 40.00	\$ 0
Medical and dental expenses	\$ 0	\$ 0

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 200.00	\$ 0
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 0
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$ 0
Life	\$ 0	\$ 0
Health	\$ 0	\$ 0
Motor Vehicle	\$ 271.00	\$ 0
Other: _____	\$ _____	\$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ 0	\$ 0
Installment payments		
Motor Vehicle	\$ 642.00	\$ 0
Credit card(s)	\$ 241.00	\$ 0
Department store(s)	\$ 0	\$ 0
Other: <u>Personal Loans</u>	\$ 200.00	\$ 0
Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 2073.00	\$ 0
Other (specify): _____	\$ 0	\$ 0
Total monthly expenses:	\$ 4917.00	\$ 0

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 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.

The United States is currently experiencing a National Emergency declared by the President due to the Corona Virus, Petitioner is over 60 years of age and must self quarantine as directed by authorities because of the danger of infection to Petitioner who does not know when he can drive for the public
I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 17, 2020

(Signature)

ATTACHMENT TO FORM 4
DETAILED STATEMENT OF EXPENSES

Petitioner is self-employed as an Uber and Lyft Driver.

Daily Gasoline Expenses are \$35.00 per day	\$980.00 monthly
Car Wash	\$ 80.00 monthly
Oil Changes	\$100.00 monthly
Vehicle Payments	\$642.00 monthly
TNC Vehicle Insurance	\$271.00 monthly
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TOTAL Expenses from Self Employment	\$2073.00

Question 9: Do you expect any major changes to your monthly income or assets or liabilities during the next 12 months?

Petitioner has been rendered unemployed and is self-quarantined as a senior citizen over 60 years of age, he has been instructed by health authorities and Government orders to shelter in place by the Governor of the State of California. It is undeterminable when people and the Petitioner can resume normal daily events, including working. Only essential movement is allowed.

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

Executed on March 17, 2020



S. Patrick Mendel