

IN THE SUPREME COURT OF THE UNITED STATES

JIMMY L. LIVINGSTON,) Case No. CI 19-8501
)
 Petitioner,)
)
 vs.) OBJECTION AND MOTION FOR
) RECONSIDERATION OF DENIAL OF
 STATE OF NEBRASKA,) IN FORMA PAUPERIS APPLICATION
)
 Respondent.)

COMES NOW the Petitioner, Jimmy L. Livingston, pro se., in the above-captioned cause pursuant to U.S. Sup. Ct. Rule 21 (2019), and moves this honorable court, to make an order, to allow him to proceed by in forma pauperis, reconsider it's 5th day of October, 2020, decision, through petitioner's objection for the following reason(s):

1. The court made no conclusion of fact to law in it's reason for denial, and;
2. The court made no conclusion of fact to law that petitioner is or was able to pay the cost's of the proceedings, on his petition for Writ Of Certiorari, pursuant to U.S. Sup. Ct. Rule 39.4 (2019), and after submitting the Inmate Account Statement, to establish he makes under the National Standard under the Uniform Commercial Code, and the Labor Standards Act, and;
3. The court made no conclusion of fact to law that the petitioner's Writ Of Certiorari, was either frivolous or malicious, pursuant to U.S. Sup. Ct. Rule 39.8 (2019), for denying his request to proceed by in forma pauperis, and;

4. The court made no conclusion of fact to law, that in the least petitioner would be entitled to a 20% deduction from his current prison account pursuant to Title 28 U.S.C.A. Sec. 1915 (a), (1), (2), (b), (1), (B), (2), (Reissue 1996), and, e.g. SMITH v.

BENNETT, Case No.s 174, 177, Argued March 28, 1961, Decided April 17, 1961, 366 U.S. 708, 81 S.Ct. 895, 6 L.Ed.2d 39 (1961)., and;

5. The court made no conclusion of fact to law, for any reason as to deny him the privilege to proceed by in forma pauperis, under the full faith and credit of the U.S.C.A. Const. Art. IV, sec. 1., and; the U.S. Const. Amend. 14, Sec. 1., and;

PRAYER FOR RELIEF

Wherefore, the petitioner hereby does pray that this honorable court, will make an order, allowing him to proceed by in forma pauperis, and grant him the relief in the above-captioned cause, and any other relief this court, finds just and humane.

Dated on this 15 day of October, 2020.

Prepared and Submitted By: Jimmy L. Livingston
Jimmy L. Livingston, Petitioner
N.D.C.S. No. 87535
4201 S. 14th Street
Lincoln, Nebraska 68502

CERTIFICATE OF SERVICE

I, Jimmy L. Livingston, petitioner pro se., does hereby certify I did cause on this 15 day of October, 2020, a true and correct copy of the foregoing OBJECTION AND MOTION FOR RECONSIDERATION OF DENIAL OF IN FORMA PAUPERIS APPLICATION, and did send a true and correct copy to the counsel for Respondent, State Of Nebraska, Douglas J. Peterson-Nebraska Attorney General, at: 2115 State Capitol Building, Lincoln, Nebraska 68509-8920., By U.S. Postal Services, First Class Mail, Postage Prepaid.

Submitted By: Jimmy L. Livingston
Jimmy L. Livingston, Petitioner pro se.
N.D.C.S. No. 87535
4201 S. 14th Street
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