

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES
Washington D.C. 20543

WALTER J. BRZOWSKI PETITIONER
(Your Name)

VS.
U.S. COURT OF APPEALS
FOR THE SEVENTH CIRCUIT 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):

U.S. Court of Appeals, 7th Cir 19-2167; May 30, 2019
IL. Supreme Court, No. 125909 April 7, 2020

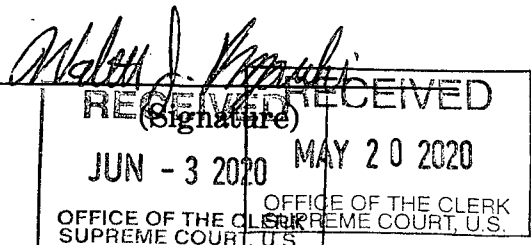
☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ 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.



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

I, Walter J. Brzowski, 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>0.00</u> | \$ <u>unknown</u> | \$ <u>0.00</u> | \$ <u>unknown</u> |
| Self-employment | \$ <u>0.00</u> | \$ <u></u> | \$ <u></u> | \$ <u></u> |
| Income from real property (such as rental income) | \$ <u></u> | \$ <u></u> | \$ <u></u> | \$ <u></u> |
| Interest and dividends | \$ <u></u> | \$ <u></u> | \$ <u></u> | \$ <u></u> |
| Gifts | \$ <u></u> | \$ <u></u> | \$ <u></u> | \$ <u></u> |
| Alimony | \$ <u></u> | \$ <u></u> | \$ <u></u> | \$ <u></u> |
| Child Support | \$ <u></u> | \$ <u></u> | \$ <u></u> | \$ <u></u> |
| Retirement (such as social security, pensions, annuities, insurance) | \$ <u>712.00</u> | \$ <u></u> | \$ <u>712.00</u> | \$ <u></u> |
| Disability (such as social security, insurance payments) | \$ <u></u> | \$ <u></u> | \$ <u></u> | \$ <u></u> |
| Unemployment payments | \$ <u></u> | \$ <u></u> | \$ <u></u> | \$ <u></u> |
| Public-assistance (such as welfare) | \$ <u></u> | \$ <u></u> | \$ <u></u> | \$ <u></u> |
| Other (specify): <u>SNAP</u> | \$ <u>89.00</u> | \$ <u>unknown</u> | \$ <u>89.00</u> | \$ <u>unknown</u> |
| Total monthly income: | \$ <u>801.00</u> | \$ <u>unknown</u> | \$ <u>801.00</u> | \$ <u>unknown</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 |
|---------------------|---------------------------------------|---------------------------------|-------------------------|
| Advance AUTO Supply | 8543 South Harlem Ave. Burbank IL. | June 1-2018 to June 10, 2019 | \$ 1,100.00 \$ \$ |

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 |
|----------------------|---------|----------------------|-------------------|
| UNKNOWN TO Applicant | | UNKNOWN TO Applicant | \$ \$ \$ |

4. How much cash do you and your spouse have? \$ UNKNOWN at present
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 |
|---|-------------------|------------------------|
| | \$ <u>UNKNOWN</u> | \$ <u>UNKNOWN TO</u> |
| | \$ | \$ <u>Applicant</u> |
| | \$ | \$ |

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

☒ Home ☐ Other real estate
Value None - "Stolen" by ILLINOIS, COOK COUNTY Family Court in Nov. 2003, (No. 01 D-14335)

☒ Motor Vehicle #1 2004 Mercury
Year, make & model Mountaineer
Value \$4530.00

☐ 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 |
|---------------------------------------|--------------------|----------------------------|
| <u>UNSPECULATIVE</u> | \$ _____ | \$ _____ |
| <u>at present</u> | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |

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 |
|---------------------|-------------------------|-----------------|
| <u>None —</u> | <u>Brandon Brzowski</u> | <u>22 (Son)</u> |
| <u>children of</u> | <u>Eric C. Brzowski</u> | <u>20 (Son)</u> |
| <u>majority age</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 (include lot rented for mobile home) | \$ <u>125.00</u> | \$ <u>unknown</u> |
| Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| Utilities (electricity, heating fuel, water, sewer, and telephone) | \$ <u>50.00</u> | \$ _____ |
| Home maintenance (repairs and upkeep) | \$ _____ | \$ _____ |
| Food | \$ <u>136.00</u> | \$ _____ |
| Clothing | \$ <u>85.00</u> | \$ _____ |
| Laundry and dry-cleaning | \$ _____ | \$ _____ |
| Medical and dental expenses | \$ _____ | \$ _____ |

| | You | Your spouse |
|---|---------------------------------|--|
| Transportation (not including motor vehicle payments) | \$ <u>360.00</u> | \$ _____ |
| Recreation, entertainment, newspapers, magazines, etc. | \$ _____ | \$ _____ |
| Insurance (not deducted from wages or included in mortgage payments) | | |
| Homeowner's or renter's | \$ _____ | \$ _____ |
| Life | \$ _____ | \$ _____ |
| Health | \$ _____ | \$ _____ |
| Motor Vehicle | \$ <u>102.00</u> | \$ <u>unknown</u> |
| Other: _____ | \$ _____ | \$ _____ |
| Taxes (not deducted from wages or included in mortgage payments) | | |
| (specify): _____ | \$ _____ | \$ _____ |
| Installment payments | | |
| Motor Vehicle | \$ _____ | \$ _____ |
| Credit card(s) | \$ <u>67.00</u> | \$ <u>unknown</u> |
| Department store(s) | \$ _____ | \$ _____ |
| Other: _____ | \$ _____ | \$ _____ |
| Alimony, maintenance, and support paid to others | \$ _____ | \$ _____ |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ _____ | \$ _____ |
| Other (specify): <u>Storage Fees</u> | \$ <u>112.00</u> | \$ <u>unknown</u> |
| Total monthly expenses: | \$ <u>1,037.00</u> (approx.) | \$ <u>unknown</u> TO <u>Applicant</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.

I'm NOT a fortune-teller, OR Nostradamus,
which I do not care to speculate on this moot issue.

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.

Due to the foisted UNCONSTITUTIONALISM by the Cook and Will County IL. Civil and Criminal Courts since December 21, 2001, (Case nos. 01 D-14335; 07 OP-0595), seriously undermining my chance to earn a glorious living – I have been unjustly reduced into my meek financial income status that I should have NOT BEEN forced into!

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

Executed on: May 12, 2020

Melvin J. Kyzanski
(Signature)

Exhibit 'A'

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
www.ca7.uscourts.gov

ORDER

September 27, 2019

By the Court:

| | |
|--|--|
| No. 19-2167 | IN RE: WALTER J. BRZOWSKI, Defendant - Appellant |
| Originating Case Information: | |
| District Court No: 1:07-cv-05613 Northern District of Illinois, Eastern Division District Judge Ruben Castillo | |

Upon consideration of the **SECOND PETITION FOR LEAVE FOR CONTINUANCE OF "APPELLANT'S BRIEF"** filed on September 26, 2019, by pro se appellant,

IT IS ORDERED that the motion is **GRANTED** to the extent that the appellant shall file his brief by November 1, 2019.

Important Scheduling Notice !

Hearing notices are mailed shortly before the date of oral argument. Criminal appeals are scheduled shortly after the filing of the appellant's main brief; civil appeals are scheduled after the filing of the appellee's brief. If you foresee that you will be unavailable during a period in which your appeal might be scheduled, please write the clerk advising him of the time period and the reason for your unavailability. The court's calendar is located at <http://www.ca7.uscourts.gov/cal/argcalendar.pdf>. Once an appeal has been scheduled for oral argument, it is very difficult to have the date changed. See Cir. R. 34(e).

Exhibit 'B'



SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING
200 East Capitol Avenue
SPRINGFIELD, ILLINOIS 62701-1721

CAROLYN TAFT GROSBOLL
Clerk of the Court

(217) 782-2035
TDD: (217) 524-8132

April 07, 2020

FIRST DISTRICT OFFICE
160 North LaSalle Street, 20th Floor
Chicago, IL 60601-3103
(312) 793-1332
TDD: (312) 793-6185

Walter J. Brzowski
6431 S. Karlov Avenue
Chicago, IL 60629

In re: Brzowski v. Illinois Department of Healthcare and Family Services
125909

Today the following order was entered in the captioned case:

Application by Petitioner, *pro se*, for waiver of court fees. Allowed.

Order entered by Justice Theis.

Very truly yours,

Carolyn Taft Grosboll

Clerk of the Supreme Court