

20-6234
No.

IN THE

SUPREME COURT OF THE UNITED STATES

Karen Moynihan - PETITIONER

vs.

The West Chester Area School District - RESPONDENT

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):

The United States District Court for the Eastern District of Pennsylvania

*The United States Court of Appeals for the Third Circuit

☐ 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.

Karen Moynihan
(Signature)

* We were told by this Court that we did not again need to apply for IFP status.

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

I, Karen Moynihan, 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.

- 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</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>80</u>	\$ <u>80</u>	\$ <u>7</u>	\$ <u>7</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>4,110</u>	\$ <u>0</u>	\$ <u>1,485</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

Other (specify): _____ \$ 0 \$ 0 \$ 0 \$ 0

Total monthly income: \$ 80 \$ 4,190 \$ 7 \$ 1,492

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
<u>N/A</u>	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

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
<u>N/A</u>	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ 100
Below, state any money you or your spouse have in bank accounts or in any financial institution

Type of account (e.g., checking or savings)	Amount you have	Amount your Spouse has
<u>Checking</u>	\$ <u>250</u>	\$ <u>250</u>
<u>Savings</u>	\$ <u>0</u>	\$ <u>2,000</u>

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

☒ Home
Value \$450,000

☐ Other real estate
Value _____

☒ Motor Vehicle #1
Year, make & model 2008 Subaru Forester
Value \$1,900

☒ Motor Vehicle #2
Year, make & model 2007 Honda CRV
Value \$3,725

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>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u> </u>	\$ <u> </u>	\$ <u> </u>
<u> </u>	\$ <u> </u>	\$ <u> </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>Colin Caviston Moynihan</u>	<u>Son</u>	<u>22</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </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>550</u>	\$ <u>550</u>
Home maintenance (repairs and upkeep)	\$ <u>225</u>	\$ <u>225</u>
Food	\$ <u>300</u>	\$ <u>300</u>
Clothing	\$ <u>50</u>	\$ <u>50</u>
Laundry and dry-cleaning	\$ <u>35</u>	\$ <u>35</u>
Medical and dental expenses	\$ <u>75</u>	\$ <u>75</u>
Transportation (not including motor vehicle payments)	\$ <u>50</u>	\$ <u>50</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>25</u>	\$ <u>25</u>

You Your spouse

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

Homeowner's or renter's	\$ <u>42</u>	\$ <u>42</u>
Life	\$ _____	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ <u>42</u>	\$ <u>42</u>
Other: _____	\$ _____	\$ _____

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

(specify): _____	\$ <u>508</u>	\$ <u>508</u>
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Installment payments

Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s)	\$ <u>2,500</u>	\$ <u>2,500</u>
Department store(s)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____

Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>0</u>
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Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>0</u>
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Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>
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Total monthly expenses	\$ <u>4,402</u>	\$ <u>4,402</u>
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9. Do you expect any major changes to your monthly income or expenses n 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 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?

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

Our adult son has multiple disabilities and therefore has been unable to secure employment, despite being a client of the Pennsylvania Office of Vocational Rehabilitation for the past two years. He continues to be entirely dependent on us.

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

Executed on: October 30, 2020

Karen Mayrider
(Signature)