

20-6241
No.

IN THE

SUREME COURT OF THE UNITED STATES

Lisa Marie Smith PETITIONER

ORIGINAL

Vs.

School District of Philadelphia Kelly Services Inc. RESPONDENTS(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

FILED
OCT 05 2020
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

Petitioner has previously been granted leave to proceed *in forma pauperis* in the
**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSLYVANIA**

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

Lisa M. Smith /s/ Pro Se Litigant

RECEIVED
OCT 15 2020
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Lisa M. Smith, 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>1,000</u>	\$ _____	\$ <u>1,000</u>	\$ _____
Self-employment	\$ <u>1,300</u>	\$ _____	\$ <u>1,300</u>	\$ _____
Income from real property (such as rental income)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Interest and dividends	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Gifts	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Alimony	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Child Support	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Unemployment payments	\$ <u>320.00</u>	\$ _____	\$ <u>0</u>	\$ _____
Public-assistance (such as welfare)	\$ <u>0</u>	\$ _____	\$ <u>0</u>	\$ _____
Other (specify): <u>Covid-19 Pandemic relief - April to July 25, 2020</u>	\$ <u>2,178</u>	\$ _____	\$ <u>0</u>	\$ _____
Total monthly income:	\$ <u>4,178.00</u>	\$ _____	\$ <u>2,300</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
ESS Educational Staffing & Management Solution	300 King High Way N. Cherry Hill New Jersey 08034 #405	March 21, 2017 Present	\$ 1,000 \$ \$

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.) *Not Married*

Employer	Address	Dates of Employment	Gross monthly pay
			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ *Me - 2,304.76*
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
Checking	\$ 1,798.74	\$
Savings	\$ 506.02	\$
	\$	\$

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

<input checked="" type="checkbox"/> Home Value <u>\$ 108,000</u>	<input type="checkbox"/> Other real estate Value _____
<input checked="" type="checkbox"/> Motor Vehicle #1 Year, make & model <u>2006 Chrysler PT CRUISER</u> Value <u>\$ 2,000</u>	<input type="checkbox"/> Motor Vehicle #2 Year, make & model _____ Value _____
<input type="checkbox"/> 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>Wells Fargo Bank</u>	\$ <u>723.00</u> sent to me for theft identification. \$ <u>00</u> On <u>10/17/2020</u> \$ <u>00</u>	\$ <u>Not Married</u> \$ <u>00</u> \$ <u>00</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>None</u>	<u>None</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>450.00</u>	\$ <u> </u>
Are real estate taxes included? <input checked="" 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)	\$ <u>316.00</u>	\$ <u> </u>
Home maintenance (repairs and upkeep)	\$ <u>70.00</u>	\$ <u> </u>
Food	\$ <u>80.00</u>	\$ <u> </u>
Clothing	\$ <u>0</u>	\$ <u> </u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u> </u>
Medical and dental expenses	\$ <u>156.00</u>	\$ <u> </u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 80.00	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ 28.00	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	PMI \$ 15.00	\$ _____
Life	\$ 0	\$ _____
Health	\$ 156.00	\$ _____
Motor Vehicle	\$ 114.00	\$ _____
Other: _____	\$ 0	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ 0	\$ _____
Credit card(s)	\$ 0	\$ _____
Department store(s)	\$ 0	\$ _____
Other: _____	\$ 0	\$ _____
Alimony, maintenance, and support paid to others	\$ 0	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ _____
Other (specify): _____	\$ 0	\$ _____
Total monthly expenses:	\$ 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.

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

Executed on: August 23, 2020

Lisa M. Smith
(Signature)

ATTORNEY TO BE NOTICED

KAREN M. GOTTLIEB

(See above for address)

TERMINATED: 08/14/2018

LEAD ATTORNEY

MICHAEL S. TAKACS

(See above for address)

TERMINATED: 07/23/2018

Date Filed	#	Docket Text
08/02/2017	<u>1</u>	APPLICATION TO PROCEED IN FORMA PAUPERS FILED BY LISA MARIE SMITH. (Attachments: # <u>1</u> Complaint, # <u>2</u> Civil Cover Sheet, # <u>3</u> Req for Atty, # <u>4</u> Attachment, # <u>5</u> attach)(jmv,) (Entered: 08/14/2017)
08/15/2017	<u>2</u>	ORDER THAT PLAINTIFF IS GRANTED LEAVE TO PROCEED IN FORMA PAUPERIS. THE COMPLAINT IS TO BE FILED AND SUMMONS ARE TO BE ISSUED. THE U.S. MARSHAL FOR THE EASTERN DISTRICT OF PENNSYLVANIA SHALL SERVE THE SUMMONS AND COMPLAINT UPON THE DEFENDANTS AT NO COST TO THE PLAINTIFF. SIGNED BY HONORABLE WENDY BEETLESTONE ON 8/15/17. 8/16/17 ENTERED AND COPY MAILED TO SMITH. COPY FORWARDED TO U.S. MARSHAL SERVICE. (fdc) (Entered: 08/16/2017)
08/15/2017	<u>3</u>	COMPLAINT against MINDY CARREA, JASON CARRION, CAYUGA ELEMENTARY SCHOOL, filed by LISA MARIE SMITH. *IFP GRANTED.*(fdc) (Entered: 08/16/2017)
08/15/2017		Three (3) Summons Issued as to MINDY CARREA, JASON CARRION, CAYUGA ELEMENTARY SCHOOL. Forwarded To: U.S. Marshal Service on 8/16/17 as of 8/15/17. (fdc) (Entered: 08/16/2017)
08/15/2017	<u>4</u>	Request for Appointment of Attorney by LISA MARIE SMITH. (fdc) (Entered: 08/16/2017)
08/17/2017	<u>5</u>	ORDER THAT PRO SE PLAINTIFF'S REQUEST FOR APPOINTMENT OF ATTORNEY [ECF 4] IS GRANTED AND THIS CASE IS REFERRED TO THE EMPLOYMENT CIVIL RIGHTS PANEL. SIGNED BY HONORABLE WENDY BEETLESTONE ON 8/16/17. 8/17/17 ENTERED AND COPIES MAILED TO PRO SE PLAINTIFF AND UNREP PARTIES. COPY FORWARDED TO PRO SE WRIT CLERK.(fdc) (Entered: 08/17/2017)
08/17/2017		Case Placed in Suspense per the Standing Order re: Attorney Panel for Pro Se Plaintiffs in Employment Cases. (afm,) (Entered: 08/17/2017)
09/05/2017	<u>6</u>	Statement of Counsel re Acceptance of Court Appointment by LISA MARIE SMITH. (ROBINETTE, JUSTIN) (Entered: 09/05/2017)
09/05/2017	<u>7</u>	ORDER THAT JUSTIN F. ROBINETTE, ESQ. IS APPOINTED TO REPRESENT PLAINTIFF, LISA MARIE SMITH, PURSUANT TO THE EMPLOYMENT CIVIL RIGHTS PANEL. SIGNED BY HONORABLE