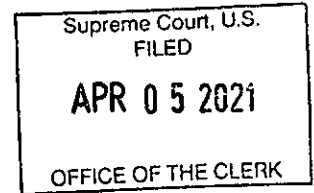


20-8089

IN THE  
SUPREME COURT OF THE UNITED STATES  
NO. \_\_\_\_-\_\_\_\_



EMEM UFOT UDOH,  
*Petitioner,*  
vs.

MINNESOTA DEPARTMENT OF HUMAN SERVICES ET AL,  
*Respondents.*

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS ON THIS  
PETITION FOR A WRIT OF CERTIORARI

Petitioner, Emem Ufot Udoh, hereby move this court for leave to proceed in forma pauperis ("IFP") on this petition for writ of certiorari.

Petitioner, Emem Ufot Udoh, motion for leave to proceed *in forma pauperis* on appeal was granted on May 28, 2020 by The Hon. Patrick J. Schiltz in *Udoh et al v. Minnesota Department of Human Services et al*, 16-cv-3119-PJS-SER (D.Minn. May 28, 2020 Order). Petitioner, Emem Ufot Udoh, has attached an affidavit or declaration to support this motion for leave to proceed *in forma pauperis*.

Petitioner, Emem Ufot Udoh, the undersigned declare under penalty of perjury that the foregoing information contained herein is true and correct. 28 U.S.C. §1746; Minn. Stat. §358. 116.

Executed on: April 5, 2021

Respectfully Submitted,



Emem U. Udoh,  
*Pro se Litigant*, 245042  
7600 525<sup>th</sup> Street, Rush City, MN 55069

IN THE  
SUPREME COURT OF THE UNITED STATES

NO. \_\_-\_\_

EMEM UFOT UDOH,

*Petitioner,*

vs.

MINNESOTA DEPARTMENT OF HUMAN SERVICES ET AL,

*Respondents.*

**AFFIDAVIT OR DECLARATION TO SUPPORT THE MOTION FOR LEAVE TO PROCEED IN  
FORMA PAUPERIS ON THIS PETITION FOR A WRIT OF CERTIORARI  
(Long Form)**

**Affidavit in Support of the Petition**

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested. I declare under penalty of perjury that the information below is true and understand that a false statement may result in a dismissal of my claims.

Signed: Udoh

**Instructions**

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: April 5, 2021

- 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 amount, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly income amount during the past 12 months		Income amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0	\$	\$ 0	\$
Self-employment	\$ 0	\$	\$ 0	\$
Income from real property (such as rental income)	\$ 0	\$	\$ 0	\$
Interest and dividends	\$ 0	\$	\$ 0	\$

**AFFIDAVIT OR DECLARATION – By Udoh**

Gifts	\$ 0	\$	\$ 0	\$
Alimony	\$ 0	\$	\$ 0	\$
Child support	\$ 0	\$	\$ 0	\$
Retirements (such as social security, pensions annuities, insurance)	\$ 0	\$	\$ 0	\$
Disability (such as social security, insurance payments)	\$ 0	\$	\$ 0	\$
Unemployment payments	\$ 0	\$	\$ 0	\$
Public-assistance (such as welfare)	\$ 0	\$	\$ 0	\$
Other (specify):	\$ 0	\$	\$ 0	\$
<b>Total monthly income:</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

2. List your 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
N/A	N/A	N/A	\$ 0
N/A	N/A	N/A	\$ 0

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
			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 0  
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
N/A	N/A	\$ 0	\$
N/A	N/A	\$ 0	\$
N/A	N/A	\$ 0	\$

**AFFIDAVIT OR DECLARATION – By Udoh**

If you are a prisoner, you must have an authorized prison official complete the Certificate of Authorized Prison Official provided on Page 6 of this application. The certificate must be filed with this application.

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

Assets owned by you or your spouse	
Home (Value)	\$ 0
Other real estate (Value)	\$ 0
Motor vehicle #1 (Value)	\$ 0
Make and year:	N/A
Model:	
Registration #:	
Motor vehicle #2 (Value)	N/A
Make and year:	N/A
Model:	
Registration #:	
Other assets (Value)	\$ 0
Other assets (Value)	\$ 0

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
N/A	\$ 0	\$
N/A	\$ 0	\$
	\$ 0	\$

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

Name (or, if under 18, initials only)	Relationship	Age
C.U.	Son	8 yrs
C.U.	Son	8 yrs

**AFFIDAVIT OR DECLARATION – By Udoh**

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, semiannually, or annually to show that monthly rate.

	You	Your Spouse
Rent or home-mortgage payment ( <i>including lot rented for mobile home</i> ) 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	\$ 0	\$
Utilities ( <i>electricity, heating fuel, water, sewer, and telephone</i> )	\$ 10	\$
Home maintenance ( <i>repairs and upkeep</i> )	\$ 0	\$
Food	\$ 40	\$
Clothing	\$ 10	\$
Laundry and dry-cleaning	\$ 10	\$
Medical and dental expenses	\$ 10	\$
Transportation ( <i>not including motor vehicle payments</i> )	\$ 0	\$
Recreation, entertainment, newspapers, magazines, etc.	0	
Insurance ( <i>not deducted from wages or included in mortgage payments</i> )		
Homeowner's or renter's:	\$ 0	\$
Life:	\$ 0	\$
Health:	\$ 0	\$
Motor Vehicle:	\$ 0	\$
Other:	\$ 0	\$
Taxes ( <i>not deducted from wages or included in mortgage payments</i> ) ( <i>specify</i> ):	\$	\$
Installment payments		
Motor Vehicle:	\$ 0	\$
Credit card ( <i>name</i> ):	\$ 0	\$
Department store ( <i>name</i> ):	\$ 0	\$
Other:	\$ 0	\$
Alimony, maintenance, and support paid to others	\$ 0	\$
Regular expenses for operation of business, profession, or farm ( <i>attach detailed statement</i> )	\$ 0	\$

**AFFIDAVIT OR DECLARATION – By Udoh**

Other (specify) <u>Legal Stationery and stamps</u>	\$ <u>30</u>	\$
<b>Total monthly expenses:</b>	\$ <u>11 0.00</u>	\$ <u>0.00</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.

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 or 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 cost of these proceedings.

Currently incarcerated and the district court granted IFP on appeal on May 22, 2020.

13. Identify the city and state of your legal residence.

Your daytime phone number: NIA

Your age: NIA Your years of schooling: NIA

NIA

Petitioner, Emem Ufot Udoh, the undersigned declare under penalty of perjury that the foregoing information contained herein is true and correct. 28 U.S.C. §1746; Minn. Stat. §358. 116.

Executed on: April 5, 2021

Respectfully Submitted,

Emem U. Udoh

Emem U. Udoh, *Pro se* Litigant, 245042,  
7600 525<sup>th</sup> Street, Rush City, MN 55069

**AFFIDAVIT OR DECLARATION – By Udoh**

# Department of Corrections

Page 1 of 2

MCF - Rush City

## Trust Account Statement

For Date Range 03/01/2021 To 03/31/2021

OID# 245042 Name: UDOH, EMEM UFOT

Location: 80-3N-D LOWER-158 U; :

Balance as  
of

Sub Account	03/31/2021 1:00 pm
Spending	424.83
Gate Savings	500.00
Savings	0.00
Hold	0.00

### Transaction Descriptions

<u>Date</u>	<u>Description</u>	<u>Transaction Amt</u>
<u>Spending Sub-Account</u>		
03/ 1/2021	SPIRITUAL LIFE CHURCH	(35.00)
03/ 1/2021	CRS SAL ORD #7565130	(17.72)
03/ 1/2021	CLERK US DISTRICT COURT	(15.00)
03/ 1/2021	CLERK, US DISTRICT COURT	(5.50)
03/ 2/2021	Postage/Lg Envelope US Supreme Courts	(3.00)
03/ 2/2021	Postage/Lg Envelope US Supreme Court	(2.60)
03/ 2/2021	Postage/ Lg Envelope US Supreme Court	(1.80)
03/ 2/2021	CRR SAL ORD #7565130	2.27
03/ 3/2021	Postage/ Lg Envelope Chisago Co Court	(1.20)
03/ 3/2021	REV GJ#13632156 TENTH JUDICIAL DISTRICT	290.00
03/ 3/2021	GEORGETOWN LAW	(25.00)
03/ 4/2021	Postage/ Lg Envelope Chisago Co Court	(1.20)
03/ 8/2021	CRS SAL ORD #7571696	(34.70)
03/ 8/2021	Postage lg env legal	(1.00)
03/ 8/2021	CRR SAL ORD #7571696	5.95
03/10/2021	Postage lg env Legal	(8.50)
03/10/2021	Postage lg env legal	(1.81)
03/10/2021	CRR SAL ORD #7565130	0.60
03/11/2021	Postage legal sm env	(0.61)
03/11/2021	Wages M75_Diverse-B 18.75 REG @ 10.97 02/21/2021 to 03/06/2021	205.69
03/11/2021	Wages M75_Diverse Deduction-AVPI-AVPI	(10.28)
03/11/2021	Wages M75_Diverse Deduction-CCPB-CCPB	(146.04)
03/11/2021	Wages M75_Diverse 37.25 REG @ 1.00 02/21/2021 to 03/06/2021	37.25
03/11/2021	Wages M75_Diverse Deduction-AVP-AVP	(1.86)
03/11/2021	SPIRITUAL LIFE CHURCH	(35.00)
03/12/2021	Postage lg env legal	(1.00)
03/15/2021	CRS SAL ORD #7578947	(31.79)
03/16/2021	CRR SAL ORD #7578947	1.65
03/17/2021	Postage lg env legal	(3.00)
03/17/2021	Postage lg env legal	(1.00)
03/18/2021	Postage lg env legal	(8.50)
03/19/2021	Postage lg env legal	(1.40)
03/19/2021	CLERK US DIST COURT	(4.00)
03/22/2021	CRS SAL ORD #7584788	(37.19)
03/22/2021	Postage lg env legal	(1.00)
03/22/2021	PSTG US DIST COURT OF MN MEV	(2.80)
03/23/2021	Postage sm env legal	(0.21)
03/23/2021	CRR SAL ORD #7584788	6.38

This statement shows your activity and balances from MCF - Rush City only. If you had any activity or balances for the specified time period at another facility, you will be sent a separate statement from that facility.

\*\*Keep For Your Records\*\*

Department of Corrections

Page 2 of 2

MCF - Rush City

Trust Account Statement

For Date Range 03/01/2021 To 03/31/2021

OID# 245042 Name: UDOH, EMEM UFOT

Location:	80-3N-D LOWER-158 U; :	
03/23/2021	CLERK US EIGHTH CIRCUIT COURT APPEALS	(10.00)
03/23/2021	US DISTRICT COURT	(90.00)
03/23/2021	EIGHTH CIRCUIT COURT OF APPEALS	(10.00)
03/23/2021	REV GJ#13729631 EIGHTH CIRCUIT COURT OF	10.00
03/24/2021	PSTG US DIS CRT MEV	(1.00)
03/24/2021	Postage sm env legal	(0.61)
03/24/2021	Postage lg env legal	(2.00)
03/25/2021	Postage/ Lg Envelope US Supreme Court	(2.40)
03/25/2021	Wages M75_Diverse 58.75 REG @ 1.00 03/07/2021 to 03/20/2021	58.75
03/25/2021	Wages M75_Diverse Deduction-AVP-AVP	(2.94)
03/26/2021	Postage/ Office of the Clerk	(1.00)
03/26/2021	Copies	(3.25)
03/29/2021	CRR SAL ORD #7584788	0.80
03/29/2021	Postage sm env legal	(0.21)
03/29/2021	CRS SAL ORD #7591376	(21.56)
03/31/2021	CRR SAL ORD #7591376	1.43
03/31/2021	Postage lg env legal	(2.51)

Debts and Obligations

OID: 245042

Type	Payable	Info Number	Current Amount Owing	Amount Paid
AVP	Aid to Victims of Crir	AVP	UNLIMITED	357.47
AVPI	Aid to Victims of Crir	AVPI	UNLIMITED	22.48
CCPA	Cost of Confinement Ac	CCPA	UNLIMITED	0.00
CCPB	Cost of Confinement Ba	CCPB	UNLIMITED	319.34
CCPP	Cost of Confinement Pi	CCPP	UNLIMITED	0.00
FCC	Facility Cost Conf.	FCC	UNLIMITED	828.89

This statement shows your activity and balances from MCF - Rush City only. If you had any activity or balances for the specified time period at another facility, you will be sent a separate statement from that facility.

\*\*Keep For Your Records\*\*