

ORIGINAL

No. 21-1493

FILED  
OCT 27 2022  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE  
SUPREME COURT OF THE UNITED STATES

James J. Knobel, et al  
— PETITIONER  
(Your Name)

VS.

Amy Fackrell, et al. — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a ~~writ of certiorari~~ <sup>Rehearing</sup> 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):

United States Court of Appeals for the 9<sup>th</sup> Circuit  
United States Supreme Court

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.

October 27, 2022

James Knobel  
(Signature)

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

I, \_\_\_\_\_, 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>—</u>                                      | \$ <u>N/A</u> | \$ _____                   | \$ <u>N/A</u> |
| Self-employment  | \$ <u>750.-</u>                                  | \$ _____      | \$ <u>250.-</u>            | \$ _____      |
| Income from real property (such as rental income)                    | \$ _____   | \$ _____      | \$ _____                   | \$ _____      |
| Interest and dividends   | \$ _____   | \$ _____      | \$ _____                   | \$ _____      |
| Gifts  | \$ <u>90.-</u>                                   | \$ _____      | \$ <u>90.-</u>             | \$ _____      |
| Alimony  | \$ _____   | \$ _____      | \$ _____                   | \$ _____      |
| Child Support  | \$ _____   | \$ _____      | \$ _____                   | \$ _____      |
| Retirement (such as social security, pensions, annuities, insurance) | \$ _____   | \$ _____      | \$ _____                   | \$ _____      |
| Disability (such as social security, insurance payments)             | \$ _____   | \$ _____      | \$ _____                   | \$ _____      |
| Unemployment payments  | \$ _____   | \$ _____      | \$ _____                   | \$ _____      |
| Public-assistance (such as welfare)                                  | \$ _____   | \$ _____      | \$ _____                   | \$ _____      |
| Other (specify): _____   | \$ _____   | \$ _____      | \$ _____                   | \$ _____      |
| <b>Total monthly income:</b>   | \$ _____   | \$ _____      | \$ _____                   | \$ _____      |

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>None</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? \$ 170.00  
 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>Checking</u>                             | \$ <u>96.65</u>  | \$ <u>N/A</u>          |
| <u>Savings</u>                              | \$ <u>193.92</u> | \$ <u>1</u>            |
| <u>Paypal</u>                               | \$ <u>100.00</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 \_\_\_\_\_
- Other real estate Value \_\_\_\_\_
- Motor Vehicle #1  
 Year, make & model 2013 Honda Civic  
 Value \$10,000  
 (Loan balance: \$8800)
- Motor Vehicle #2  
 Year, make & model \_\_\_\_\_  
 Value \_\_\_\_\_
- Other assets  
 Description Old Computers  
 Value 200.00

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                                   | \$ _____           | \$ _____                   |
|                                       | \$ _____           | \$ _____                   |
| _____                                 | \$ _____           | \$ _____                   |

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   |
|-------|--------------|-------|
| None  | _____        | _____ |
|       | _____        | _____ |
| _____ | _____        | _____ |

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<br>(include lot rented for mobile home)                    | \$ _____ | \$ N/A      |
| 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 |          |             |
| Utilities (electricity, heating fuel,<br>water, sewer, and telephone)                    | \$ 40.-  | \$ _____    |
| Home maintenance (repairs and upkeep)  | \$ _____ | \$ _____    |
| Food   | \$ 150.- | \$ _____    |
| Clothing   | \$ _____ | \$ _____    |
| Laundry and dry-cleaning   | \$ _____ | \$ _____    |
| Medical and dental expenses  | \$ 100.- | \$ _____    |

|   | You      | Your spouse |
|---|----------|-------------|
| Transportation (not including motor vehicle payments)   | \$ 100.- | \$ N/A      |
| Recreation, entertainment, newspapers, magazines, etc.  | \$ -     | \$ -        |
| Insurance (not deducted from wages or included in mortgage payments)  |          |             |
| Homeowner's or renter's   | \$ -     | \$ -        |
| Life  | \$ -     | \$ -        |
| Health  | \$ -     | \$ -        |
| Motor Vehicle   | \$ 50.-  | \$ -        |
| Other: _____  | \$ -     | \$ -        |
| Taxes (not deducted from wages or included in mortgage payments)  |          |             |
| (specify): _____  | \$ -     | \$ -        |
| Installment payments  |          |             |
| Motor Vehicle   | \$ 226.- | \$ -        |
| Credit card(s)  | \$ 100.- | \$ -        |
| Department store(s)   | \$ -     | \$ -        |
| Other: _____  | \$ -     | \$ -        |
| Alimony, maintenance, and support paid to others  | \$ -     | \$ -        |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) <i>See Attached</i> | \$ 40.-  | \$ -        |
| Other (specify): _____  | \$ -     | \$ -        |
| <b>Total monthly expenses:</b>  | \$ 806.- | \$ -        |

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.

*See attached*

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? 2012.00

If yes, state the person's name, address, and telephone number:

*Legal Printers LLC  
5614 Connecticut Ave. NW  
Washington, DC 20015*

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

*See Attached*

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

Executed on: October 27, 2022

*James Krahn*  
(Signature)

**8. Itemization of Regular Business Expenses:**

Website Hosting: \$30/month

Internet Domain Registrations: \$6/month

Advertising: \$4/month

**9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?**

After submission of this Petition for Rehearing, Petitioner intends to start a crowdfunding campaign, via GoFundMe.com, to finance his efforts to establish “Medical Freedom” as a natural right that existed antecedent to the enactment of the United States Constitution. Petitioner will set the goal for his fundraising campaign at \$1 million. There’s no way to tell if Petitioner will receive any donations, but Petitioner does have some contacts into Arizona’s business networks. One of these contacts appreciates Petitioner’s success at sobering up her mother, whose menopause- and benzodiazepine-associated alcoholism was not helped by being sent to prison for almost 2 years for her 3<sup>rd</sup> DUI.

Petitioner is also ready to start an IndieGoGo campaign to fund the manufacture and promotion of the “Energy Coin” he sells online, which is currently out-of-stock on Petitioner’s online store. The goal on this campaign will be about \$5000. This amount will be entirely spent on manufacturing expenses.

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

In April 2022, petitioner received a call from his mother: “I just met my neighbor, and she has a car for sale, and you need to buy it.” Petitioner now has a loan. The balance is \$8800; payments are \$226/month. Petitioner’s old car, the 2008 Honda Civic Hybrid (Affidavit, #21-6444), needed mechanical work to be sellable.

Petitioner traded this to a friend who’s a wizard-level physical therapist: the car for physical therapy sessions. If Petitioner eventually receives any funds from this car, they are owed to Petitioner’s father (who financed the balance of his 2013 Honda Civic purchase).

In May 2022, a v-logger on YouTube linked to Petitioner's website from their video. Petitioner made about \$5,000 from the sales that resulted from this unexpected link. (This two-month increase of sales volume accounts for the bump in self-employment income between this Affidavit and the Affidavit filed on #21-6444). About \$1500 of these proceeds was spent on a one-time inventory purchase.

\$2012 was spent to print the booklets for Petition #21-1493; \$300 was spent on the Court's docketing fee. Working with LegalPrinters.com was worth every penny of their fee, as they provided invaluable feedback on the presentation of the Petition.

The Party to the habeas petitions below, Emily N. Mihaylo, escaped from her guardian's color-of-law custody on about May 8<sup>th</sup> 2022, and called Petitioner regularly for assistance. Petition #21-1493 appeared on the Court's online docket on about May 27<sup>th</sup> 2022. When Mihaylo called Petitioner on May 30<sup>th</sup>, 2022 asking to be picked up, she sounded relatively lucid. Petitioner agreed to do so, in spite of the state court's order: Petitioner thought it more important to remove his friend from her self-imposed homelessness, than to respect the state court's erroneous ('color of law') order.

The District Court ruled that Mihaylo wants nothing to do with Petitioner anymore. In the real world, Petitioner spent around \$5000 on Mihaylo this past summer: around \$3500 on motels, and around \$1500 on food, cigarettes, clothes and other items to help keep Mihaylo occupied. Petitioner has a stack of receipts that he hasn't yet tabulated.

Petitioner hopes to be reimbursed by Mihaylo's guardian for keeping their ward alive, but has not filed in the state court to tell them what actually happened to her this past year: the state court is already derelict in its duty to justice, and previously threatened Petitioner with being assessed for the Guardian's attorney fees.

\_\_\_\_\_/s/\_\_\_\_\_.  
\_\_\_\_\_.

James J. Knochel