

21-5443
No.

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
AUG 11 2021
OFFICE OF THE CLERK

Rachel Crook — PETITIONER
(Your Name)

VS.

Shea Fiduciary Svs., Robin Shea 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):

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: Am Jurs 2d 16A § 603. Guaranty of free justice and open courts

a copy of the order of appointment is appended.

UCC-398 without prejudice
(Signature)

SEE
Exhibit 1

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SUPREME COURT U.S.

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

~~I, have the right to free justice and open courts~~ 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. PC~~

SEE Exhibit 1 Am Jur 2d 16A & b13. Guaranty of free justice and open courts

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>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
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): _____	\$ _____	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>

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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
n/a	n/a	n/a	\$ n/a
			\$
			\$

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
n/a	n/a	n/a	\$ n/a
			\$
			\$

4. How much cash do you and your spouse have? \$ n/a

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
n/a	\$ n/a	\$ n/a
	\$	\$
	\$	\$

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

Home
Value n/a

Other real estate
Value n/a

Motor Vehicle #1
Year, make & model _____
Value n/a

Motor Vehicle #2
Year, make & model _____
Value n/a

Other assets
Description _____
Value n/a

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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>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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>n/a</u>	<u>n/a</u>	<u>n/a</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>n/a</u>	\$ <u>n/a</u>
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, water, sewer, and telephone)	\$ <u>n/a</u>	\$ <u>n/a</u>
Home maintenance (repairs and upkeep)	\$ <u>n/a</u>	\$ <u>n/a</u>
Food	\$ <u>n/a</u>	\$ <u>n/a</u>
Clothing	\$ <u>n/a</u>	\$ <u>n/a</u>
Laundry and dry-cleaning	\$ <u>n/a</u>	\$ <u>n/a</u>
Medical and dental expenses	\$ <u>n/a</u>	\$ <u>n/a</u>

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

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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.

h | a

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? h | a

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? h | a

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.

SEE Exhibit 1 - AmJurs 2d 1b § 613. Guaranty
of free justice and open courts.

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

Executed on: August 11, 2021

NO Fee Required
uccl-308 without prejudice under duress
(Signature)

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Declaration of Beneficiary of the United States of America

I, Rachel Crook, declare as follows:

I am the beneficiary of the United States Constitution and California Constitution by birth right and the executive administer of my 9th and 10th Amendment rights. No fees are required for the beneficiary, appearing Pro Se, to conduct judicial business.

Am Jurs 2d 16A § 613. Guaranty of free justice and open courts; generally

“In most of the state constitutions there are provisions, varying slightly in terms, which stipulate that justice shall be administered to all without delay or denial, without sale or prejudice, and that the courts shall always be open to all alike.⁴⁴ These provisions are based largely upon the Magna Charta, Chapter 40, which provides: ‘We will sell to no man, we will not deny to any man, either justice or right.’”**[emphasis added]**

“The California Constitution contains no such provision, but, nevertheless, by the enumeration therein of fundamental rights, guarantees the right to appear personally in court in pursuit or defense of a constitutional right, whether of person or property. O’Connell v Judnich, 71 Cal App 386, 235 P 664, holding that the right to acquire and protect property must of necessity include the right to use all proper and legal means to accomplish those ends, that a person having the lawful right to acquire property has under the constitution the equal right to the perfect enjoyment of that property and that, as a necessary incident to that right,

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the full power accorded to all appearing in person to prosecute [emphasis added] or defend actions for its protection or preservation." (See Exhibit 1 – Am Jurs 2d 16A - "Guaranty of free justice and open courts")

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

Executed on August 11, 2021, in Hesperia, California.



UCC 1-308 without prejudice
Rachel Crook, Beneficiary and
Administrator of the United States
of America, and Pro Se litigant

**Additional material
from this filing is
available in the
Clerk's Office.**