

No. **21-5696**

Supreme Court, U.S.  
FILED

AUG 14 2021

OFFICE OF THE CLERK

**ORIGINAL**

IN THE  
SUPREME COURT OF THE UNITED STATES

FAN GU — PETITIONER  
VS.

INVISTA S.A.R.L. — 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*.

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

The Fifth Circuit Court

US. 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.



(Signature)

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SUPREME COURT, U.S.

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

I, Fan Gu, 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 expected the past 12 months		Amount next month	
	You	Spouse	You	Spouse
Employment	0	\$6670	0	\$6670
Self employment	\$98			
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0

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Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify): N/A	N/A	N/A	N/A	N/A
	\$ 98	\$ 6670	\$ 0	\$ 6670

**Total monthly income:**

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
Ludit LLC (self employment)	3605 S.Braeswood Houston, TX 77025	2013 – present	\$98

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
MD Anderson	1515 Holcombe Blvd Houston, TX 77030	2004 – present	\$6670

4. How much cash do you and your spouse have? \$ 7730

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
Chase	Checking&Saving	\$594	\$5336
Wells Fargo		\$600	\$1200

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

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 10th inst.

and in reply to inform you that the same has been forwarded to the proper authorities.

I am, Sir, very respectfully,  
Your obedient servant,

J. H. [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

X Home

Value \$852000

Other real estate

Value \_\_\_\_\_

Motor Vehicle #1

Year, make & model 2010 Toyota Corolla

Value \$4467

Other assets

Description

N/A

Value \_\_\_\_\_

Motor Vehicle #2

Year, make & model 2001 Honda Odyssey

Value \$630

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

**Person owing you or  
spouse your spouse money**

**Amount owed to you**

**Amount owed to your**

N/A

N/A

N/A

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

<b>Name</b>	<b>Relationship</b>	<b>Age</b>
Kevin Gu	son	26
Brett Gu	son	24

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.



	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ 0	\$ 35
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 0
	<b>You</b>	<b>Your spouse</b>
Rent or home mortgage payment (include lot rented for mobile home)	\$ 0_____	\$ 1140
Are real estate taxes included? Yes x No		
Is property insurance included? Yes x No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0_____	\$ 420
Home maintenance (repairs and upkeep)	\$ 0_____	\$ 200
Food	\$ 0_____	\$ 800
Clothing	\$ 0_____	\$ 50
Laundry and dry-cleaning	\$ 0_____	\$ 0
Medical and dental expenses	\$ 0_____	\$ 100

1. The first part of the report is a general introduction to the subject.

2. The second part is a detailed description of the methods used.

3. The third part is a discussion of the results obtained.

4. The fourth part is a conclusion and summary of the work.

5. The fifth part is a list of references.

6. The sixth part is a list of figures.

7. The seventh part is a list of tables.

8. The eighth part is a list of appendices.

9. The ninth part is a list of footnotes.

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

Homeowner's or renter's	\$ 0	\$170
Life	\$ 87	\$ 91
Health	\$ 0	\$ 693
Motor Vehicle	\$ 0	\$108
Other: _____	\$ 0	\$0

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

(specify): Property tax	\$0	\$1333
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Installment payments	\$0	\$0
Motor Vehicle	\$0	\$ 0
Credit card(s) Department	\$0	\$ 0
store(s)	\$0	\$ 0
Other: Home equity monthly payment	\$0	\$0
	\$0	\$ 0
Alimony, maintenance, and support paid to others	\$0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$0	\$ 0
Other (specify): _____	\$0	\$0
<b>Total monthly expenses:</b>	<b>\$87</b>	<b>\$ 5140</b>



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

X Yes No If yes, describe on an attached sheet.

House and vehicles flooded by Hurricane Harvey. Rebuilt/repairs has not complete yet.

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 xNo

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 x 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.

House and vehicles flooded last month by Hurricane Harvey, lost and recovery process is painful and costly. Extra expense in rent house and other house living items increase family's monthly expense over monthly income.

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

Executed on: Aug. 9, 2021



