

No. 21-6421

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Shirlene Bailey — PETITIONER
(Your Name)

Supreme Court, U.S.
FILED

SEP 21 2021

OFFICE OF THE CLERK

VS.

SUFFOLK Public Schools — 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):

The Virginia Workers' Compensation Commission

The Court of Appeals of Virginia

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.

Shirlene Bailey
(Signature)

RECEIVED

NOV 24 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Shirlene Bailey, 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>00</u>	\$ <u>3,600.00</u>	\$ <u>00</u>	\$ <u>3,600.00</u>
Self-employment	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>
Income from real property (such as rental income)	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>
Interest and dividends	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>
Gifts	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>
Alimony	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>
Child Support	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>
Disability (such as social security, insurance payments)	\$ <u>441.00</u>	\$ <u>00</u>	\$ <u>441.00</u>	\$ <u>00</u>
Unemployment payments	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>
Public-assistance (such as welfare)	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>	\$ <u>00</u>
Other (specify): <u>NA</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Total monthly income:	\$ <u>441.00</u>	\$ <u>3,600.00</u>	\$ <u>441.00</u>	\$ <u>3,600.00</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer <u>Not Employed</u>	Address _____ _____ _____	Dates of Employment _____ _____ _____	Gross monthly pay \$ <u>N/A</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 <u>NFI Industries</u>	Address _____ _____ _____	Dates of Employment <u>1989</u>	Gross monthly pay <u>\$ 3,600.00</u> \$ _____ \$ _____ \$ _____
--	---	---	--

4. How much cash do you and your spouse have? \$ 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
Checking	\$	\$ 731.53
Savings	\$	\$
	\$	SEE ATT

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 *N/A*

Motor Vehicle #1
Year, make & model 2019 Cadillac XTS
Value _____

Motor Vehicle #2
Year, make & model 2018 Honda Accord
Value _____

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>NA</u>	\$ <u> </u>	\$ <u> </u>
<u> </u>	\$ <u> </u>	\$ <u> </u>
" "	\$ <u> </u>	\$ <u> </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>NA</u>	<u> </u>	<u> </u>
" "	<u> </u>	<u> </u>
" "	<u> </u>	<u> </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> </u>	Loans - Amounts <u>51.56</u> <u>\$ 1506.72</u>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<u>TOTAL</u> <u>— 1538.28</u>
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone) <u>Approx.</u>	\$ <u> </u>	<u>678.33</u>
Home maintenance (repairs and upkeep) <u>monthly payments \$105.00, HDA - 91.95 = 216.95</u>	\$ <u> </u>	<u>91.95</u> <u>216.95</u>
Food	\$ <u> </u>	<u>125.00</u> <u>300.00</u>
Clothing	\$ <u> </u>	<u> </u>
Laundry and dry-cleaning	\$ <u> </u>	<u>50.00</u>
Medical and dental expenses	\$ <u> </u>	<u>150.00</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ _____	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ _____	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ _____	\$ _____
Life	\$ _____	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle <u>Insurance</u>	\$ <u>00</u>	\$ <u>534.78</u>
Other: <u>Gas - Vehicles</u>	\$ <u>60.00</u> ⁺	\$ <u>130.00</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Personal Property Taxes - yearly</u> <u>Due 12/5/2021 - not included</u>	\$ <u>171.00</u>	\$ <u>669.88</u>
Installment payments		
Motor Vehicle	\$ <u>00</u>	\$ <u>392.81</u>
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>00</u>	\$ <u>00</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>00</u>	\$ <u>00</u>
Other (specify): <u>N/A</u>	\$ <u>—</u>	\$ <u>—</u>
Total monthly expenses:	\$ <u>3,771.15</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 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.

SEE ATTACHED

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

Executed on: November 22, 2021

Shilene Bailey
(Signature)

2021

November 22,

ATTACHMENT: Motion For Leave To Proceed In *Forma Pauperis*

Question #12 - Other information that will explain why you cannot pay the cost of this case.

Monies in Saving are already assigned to debts owed

Due to my unimproved injury my husband is the sole provider for the upkeep and maintenance for our home. Because of previous exposures at work, voluntary quarantines we fell behind with threat of foreclosure. We have gotten back on track, only to face unforseen household and appliances repairs. Pending floor repairs related to mildew, moisture and recently discovered mold issues. The savings also include 3 Mortgage payments to avoid threat of foreclosure once again.

Our remaining debt includes

1. Medical Debts
2. Student Loan Debts (under act soon to be ending)
3. Bathroom repairs debt owed - Approx. 5,000.00
4. Monthly Summary of major bills
Mortgage 1558.28
Utilities 678.33
HOA - (Mandatory payment of Association of development) 91.95
Car Insurance 534.78
Car Payment 392.81
Yearly Personal Property Taxes Due 12/N/21 NOTE: ot included in total monthly expenses
840.88