

No. 21-6444

ORIGINAL

FILED  
NOV 16 2021  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE  
SUPREME COURT OF THE UNITED STATES

In Re James Joseph Krochel — PETITIONER  
(Your Name)

~~vs.~~

N/A — 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):

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

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.

James Krochel  
(Signature)

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

I, James S. Krochel, 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>—</u>	\$ <u>N/A</u>
Self-employment	\$ <u>500</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Income from real property (such as rental income)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Interest and dividends	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Gifts	\$ <u>90</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Alimony	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Child Support	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Disability (such as social security, insurance payments)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Unemployment payments	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Public-assistance (such as welfare)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Other (specify): _____	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
<b>Total monthly income:</b>	\$ <u>590.</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>

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
US Census Bureau	Denver, CO	7-31-2020 - 8-27-2020	\$ 1500.-
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

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	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ 200.00  
 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 (x3)	\$ 139.80	\$ _____
Savings (x3)	\$ 2730.00	\$ _____
PayPat	\$ 303.55	\$ _____

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 2008 Honda Civic Value 3000.-
- Motor Vehicle #2 Year, make & model \_\_\_\_\_ Value \_\_\_\_\_
- Other assets Description old computers Value 200.-

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 (include lot rented for mobile home)	\$ _____	\$ _____
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)	\$ 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)	\$ 60.-	\$
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	\$ -	\$
Credit card(s)	\$ 40.-	\$
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>	\$ 30.-	\$
Other (specify): _____	\$ -	\$
<b>Total monthly expenses:</b>	\$ 470.-	\$

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? \_\_\_\_\_

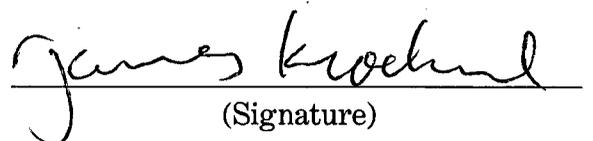
If yes, state the person's name, address, and telephone number:

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 9, 2021

  
(Signature)

### **Itemization of Regular Business Expenses:**

- Website Hosting: \$20/month
- Internet Domain Registrations: \$6/month
- Advertising: \$4/month

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

Petitioner was somewhat financially stable in 2015. After getting arrested for attempting to exercise the privilege of habeas corpus, Petitioner had to quit his job to take care of "Party". Petitioner moved in with family, and has worked odd jobs for most of the last six years. My father pays my cell bill and car insurance, which I note as 'gifts' on this financial declaration.

Petitioner has been more focused on restoring to "Party" the protection of the rule of law than on making money.

Starting in September 2015, after being assaulted by the hospital security guards on returning to the hospital campus with the state court's granted writ (Petition, Attachment A), Petitioner spent a significant amount of his savings on a private defense attorney, and on the transcript required for his appeal. Petitioner's pictures and video, while not conclusively exculpatory, strongly support that Petitioner was falsely accused and erroneously convicted of "misdemeanor trespass" and "misdemeanor assault". Petitioner prefers to say that he was prosecuted for his audacity in attempting to fulfill the state court's order freeing his friend from unlawful confinement in the emergency room of one of the Arizona's largest employers.

Petitioner has an osteopath and a physical therapist who he goes to for sessions a couple times a year, when he gets overly tense. These practitioners do not bill insurance.

Petitioner intends to ask this court if he can actually be convicted of the circumstances of a failed attempt to use constitutionally-protected privilege against an aspirationally-legal business actually engaged in false imprisonment (that is, file his petition for mandamus, previously docketed under a motion to file under seal [18M57], publicly).

But first things first: Petitioner is not vexatious, and files this to clear his name.