

No. 51-6827

IN THE  
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.  
FILED

DEC 27 2021

OFFICE OF THE CLERK

Ryan Thomas Pick — PETITIONER  
(Your Name)

Virginia Bidwell Theisen VS. Senior Assistant AG of Virginia  
Mark R. Herring, Virginia AG — 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: \_\_\_\_\_  
\_\_\_\_\_, or

a copy of the order of appointment is appended.

(Signature)

RECEIVED

DEC 29 2021

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Date: 12/14/2021

Respectfully submitted

Ryan T. Pick

Ryan Pick, *pro se*

2026 Darlington Loop

Woodbridge, VA 22191

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF VIRGINIA

Ryan Thomas Pick

Plaintiff

v.

Commonwealth of Virginia

Defendant

) Case No. \_\_\_\_\_

**AFFIDAVIT ACCOMPANYING MOTION  
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS**

**Affidavit in Support of Motion**

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed:

*Ryan T. Pick*

**Instructions**

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: 12/14/2021

**My issues on appeal are:**

The Courts erred denying my motion to suppress for violating ECPA statutes and my Fourth Amendment rights

The Courts erred denying my motion to suppress pre-Miranda statements

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	\$ 0	\$ 2,096	\$ 0	\$ 2,096
Self-employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 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
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify):	\$ 0	\$ 0	\$ 0	\$ 0
<b>Total monthly income:</b>	<b>\$ 0</b>	<b>\$ 2,096</b>	<b>\$ 0</b>	<b>\$ 2,096</b>

2. List your 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	\$ 0
			\$
			\$

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
St. Paul UMC preschool	1400 G Street Woodbridge, VA 22191	1/2015 - current	\$ 2,096
N/A	N/A	N/A	\$ 0
N/A	N/A	N/A	\$ 0

4. How much cash do you and your spouse have? \$ 50

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 has
Apple Federal Credit Union	Checking	\$ 0	\$ 596
Apple Federal Credit Union	Savings	\$ 0	\$ 2,004
N/A	N/A	\$ 0	\$ 0

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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

Home	Other real estate	Motor vehicle #1
(Value) \$ 271,800	(Value) \$ 0	(Value) \$ 396
		Make and year: Hyundai 2007
		Model: Entourage
		Registration #: KNDMC23347 6032581

Home maintenance (repairs and upkeep)	\$ 0	\$ 50
Food	\$ 0	\$ 600
Clothing	\$ 0	\$ 50
Laundry and dry-cleaning	\$ 0	\$ 20
Medical and dental expenses	\$ 0	\$ 1,500
Transportation (not including motor vehicle payments)	\$ 0	\$ 120
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 45
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 0	\$ N/A
Life:	\$ 0	\$ N/A
Health:	\$ 0	\$ N/A
Motor vehicle:	\$ 0	\$ 306
Other:	\$ 0	\$ 26
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ 200	\$ 20
Installment payments		
Motor Vehicle: Scion, Hyundai	\$ 386	\$ 0
Credit card (name): AppleFCU Visa	\$ 475	\$ 0
Department store (name): CarCare, Peebles	\$ 105	\$ 0
Other:	\$ 0	\$ 0
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):	\$ 0	\$ 0
<b>Total monthly expenses:</b>	<b>\$2388.56</b>	<b>\$ 3,147</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?

Yes  No      If yes, describe on an attached sheet.

Motor vehicle #2	Other assets Vehicle 2	Other assets
(Value) \$ 1,800	(Value) \$ 8,500	(Value) \$
Make and year: Scion 2012	Mitsubishi 2016	
Model: IQ	Outlander	
Registration #: JTNNJX800 CJ015793	JA4AD3A39GZ026843	

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
JoAnne Sharpe	\$ 3,500	\$ 0
	\$	\$
	\$	\$
	\$	\$

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

Name [or, if under 18, initials only]	Relationship	Age
CRP	daughter	13
LLP	daughter	9

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, semiannually, 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1,172.50	N/A
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$ 410

200

45.00

56

109

10. *Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit?*  Yes  No

*If yes, how much?* \$ 45,000

11. *Provide any other information that will help explain why you cannot pay the docket fees for your appeal.*

12. *State the city and state of your legal residence.*

Hanover VA

*Your daytime phone number:* ( ) \_\_\_\_\_

*Your age:* 44 *Your years of schooling:* 18

*Last four digits of your social-security number:* 4953