

21-7377

No. _____

ORIGINAL

Supreme Court, U.S.
FILED

MAR 12 2022

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

ROSEE TORRES & NOEL TORESS, — PETITIONER^S
(Your Name)

VS.

WELLS FARGO BANK, N.A. ET AL — 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):

Circuit Court of Cook County, IL - Wells Fargo v. Torres et al

Case No. 2016-ch-5038)

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

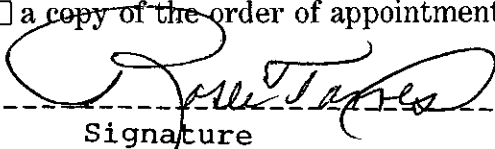
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

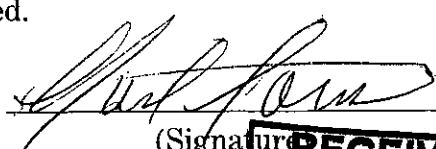
☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: _____

_____, or

☐ a copy of the order of appointment is appended.


Signature


(Signature)

RECEIVED

MAR 15 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

We, ROSEE & NOEL TORRES are, ^{\$}
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.

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>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Self-employment	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Income from real property (such as rental income)	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Interest and dividends	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Gifts	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Alimony	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Child Support	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>605.00</u>	\$ <u>1,022.00</u>	\$ <u>605.00</u>	\$ <u>1,022.00</u>
Disability (such as social security, insurance payments)	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Unemployment payments	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Public-assistance (such as welfare)	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Other (specify): _____	\$ <u>-1-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>	\$ <u>-0-</u>
Total monthly income:	\$ <u>605.00</u>	\$ <u>1,022.00</u>	\$ <u>605.00</u>	\$ <u>1,022.00</u>

TORRES V. WELLS FARGO BANK, N.A.

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.) NONE

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.) NONE

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? \$20 Each plus \$1,600 in Bank, below
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
Bank to Cash	Checking/Saving	\$600.00	\$1,000.00
Checks & Pay Bills		\$	\$
		\$	\$

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

☐ Home (Foreclosed/Sold)
Est. \$400,000; Lost Equity
Value _____
(Subject of Appeal)

☐ Other real estate NONE
Value -0-

☒ Motor Vehicle #1
Year, make & model 2005 Ford
Value \$500.00

☐ Motor Vehicle #2 NONE N/A
Year, make & model _____
Value \$0.00

☒ Other assets
Description Furniture - Over 20/yr old \$100.00; Clothes - \$50.00
Value \$150.00

TORRES V. WELLS FARGO BANK, N.A.

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
Wells Fargo Bk	IRA Account/Scam & Down Payment \$125,000 Est.	Same
Wells Fargo & Mr Capitol	Property \$218,000	Same
To Be Determined in Litigation	\$	\$

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"). Only Petitioners

Name	Relationship	Age
N/A	N/A	N/A

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
DISPUTED-PROPERTY PAID IN FULL HAD NO MORTGAGE QITH WELLS FARGO FALSE CLAIM - \$2,100/MO. AT ISSUE Rent or home-mortgage payment (include lot rented for mobile home)	-0- \$	-0- \$
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No	We Pay: 100.00	\$100.00
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	We Pay: 65.00	65.00
Petitioners Pay Taxes & Insurance		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 250.00	\$ 250.00
Home maintenance (repairs and upkeep)	\$ 100.00	\$ 100.00
Food	\$ 150.00	\$ 150.00
Clothing	\$ 50.00	\$ 50.00
Laundry and dry-cleaning	\$ 25.00	\$ 25.00
Medical and dental expenses	\$ 50.00	\$ 50.00
SUB TOTAL	\$ 625.00	\$ 625.00

TORRES V. WELLS FARGO ET AL

	You	Your spouse.
Transportation (not including motor vehicle payments)	\$ 100.00	\$ 100.00
Recreation, entertainment, newspapers, magazines, etc.	\$ 25.00	\$ 25.00
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 30.00	\$ 100.00
Life	\$ -0-	\$ -0-
Health (Spend-Down, Co-Pay, Deductible)	\$ 30.00	\$ 30.00
Motor Vehicle	\$ -0-	\$ 90.00
Other: _____	\$ -0-	\$ -0-
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A RETIRED</u>	\$ -0-	\$ -0-
Installment payments		
Motor Vehicle	\$ -0-	\$ -0-
Credit card(s)	\$ -0-	\$ -0-
Department store(s)	\$ -0-	\$ -0-
Other: _____	\$ -0-	\$ -0-
Alimony, maintenance, and support paid to others	\$ -0-	\$ -0-
Regular expenses for operation of business, profession, or farm (attach detailed statement) Retired)	\$ -0-	\$ -0-
(Legal Copies; Litigation; _____)	\$ 100.00	\$ 100.00
Other (specify): <u>Computer Rental/Supplies, Postage, etx.</u>	\$ 0.00	\$ 0.00
Total monthly expenses: (GRAND TOTAL \$1,980)	\$ 285.00	\$ 445.00

TORRES V. WELLS FARGO ET AL

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.

Unless we are evicted (rent) and/or additional medical and caretaker assistance.

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 to Date

If yes, how much? Seeking attorney on contingency basis. Will try to help with expenses, Social Security.

If yes, state the attorney's name, address, and telephone number: None at present.

To date, volunteer legal assistance, pro bono.

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? None at present. Rosee Torres former paralegal, court reporter, types legal forms.

☐ Yes ☒ No

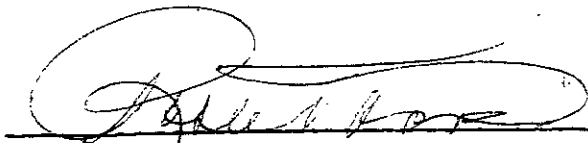
If yes, how much? Each willing to Pay \$100/month for expenses but seeking pro bono or contingency arrangement.

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

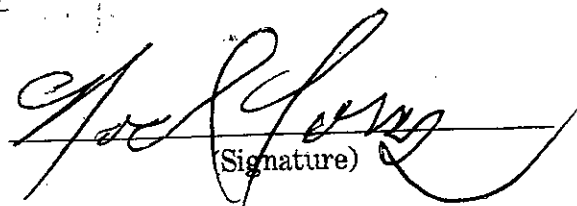
12. Provide any other information that will help explain why you cannot pay the costs of this case.

Petitioners are sr. citizens, not employed, retired with limited Social Security income and are on medical care. Even though our home at 3546 W. Beach is paid in full with World Savings before we retired. We have no equity as it was sold to Mr. Capitol Group, LLC on 01-04-2019 based on fabricated mortgage, foreclosure and summary judgment by Wells Fargo Bank & Wells Fargo Mortgage, Inc. on 02-26-2018, one issue in this Appeal, plus above parties embezzled \$30,000 down payment re purchase of 3542 W. Beach & 3550 W. Beach, altered those documents to fabricate foreclosure on 3546 W. Beach by forgery, ID theft/robo-signature. Above also embezzled and stole Rosee Torres IRA /account funds. We have little money, expenses exceed benefits. 3 Recent break-ins, home-invasions, physical assaults and terrorizing and traumatizing us by Defendant agents 6/2021 to 12/2021 have required additional medical services.

Executed on: 7th February, 2022



Signature


(Signature)

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.

Unless we are evicted (rent) and/or additional medical and caretaker assistance.

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 to Date

If yes, how much? Seeking attorney on contingency basis. Will try to help with expenses, Social Security.

If yes, state the attorney's name, address, and telephone number: None at present.

To date, volunteer legal assistance, pro bono.

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? None at present. Rosee Torres former paralegal, court reporter, types legal forms.

☐ Yes ☒ No

If yes, how much? Each willing to Pay \$100/month for expenses but seeking pro bono or contingency arrangement.

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

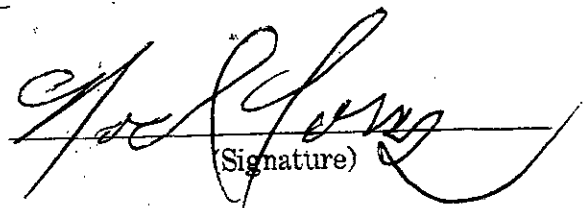
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Signature



(Signature)

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

ROSEE TORRES & NOEL TORRES, Petitioners

VS.

WELLS FARGO BANK, N.A., ETC., ET AL, Respondents

DECLARATION OF ROSEE TORRES & NOEL TORRES

We, **Rosee Torres and Noel Torres**, are the Petitioners/Appellants in our Motion to proceed with Writ of Certiorari in **Forma Pauperis** in above entitled case. In support of our motion to proceed without being required to pay fees or costs to give security, we state that because of our poverty we are unable to pay the costs of said proceedings or give security therefore, for the following reasons, and that we believe that we are entitled to redress.

1. We are not presently employed and are senior citizens on social Security benefits, per month: Rosee Torres \$605.00; Noel Torres \$1,022.00. We have no dependents and no other means of support. With excessive legal and medical expenses, we may have to borrow in future.
2. We have not received within the past twelve months from any of the following sources: business, professional or self-employment; (b) rent payments; (c) pension, annuities or life insurance payments; (d) gifts or in heritance; (e) other sources .
3. We have savings in bank only to cover cashing Social Security checks.
4. We own 2005 Ford valued at \$500.00 and requires repairs. We own no real estate as the property /our home, was sold pursuant to disputed fabricated foreclosure, Summary Judgment and sale in Cook County Circuit Court (2016-ch-2018) and is subject and issue of this appeal.

We submit this Declaration pursuant to 28 U.S.C., Sec. 1746 and that contents herein are correct and true and subject to penalties of perjury if false.

Date: March 12, 2022


Rosee Torres


Noel Torres