

No. _____

In the Supreme Court of the United States

Major General Thomas P. Harwood, III,
Petitioner,

v.

American Airlines, Inc.
Respondent.

Motion for Leave to Proceed as a Veteran and for Relief from Filing Fee

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Supreme Court Rule 29.6, Major General Thomas P. Harwood, III is an individual.

JURISDICTION

This Court has jurisdiction under 28 U.S.C. § 1254(1).

REQUEST FOR RELIEF FROM FILING FEE


Petitioner Major General Thomas P. Harwood, III, by and through undersigned counsel, in connection with the Petition for Writ of Certiorari to be filed in the Supreme Court of the United States on October 14, 2022, and pursuant to S. Ct. Rule 40 and the Uniformed Services Employment and Reemployment Rights Act ("USERRA") 38 U.S.C. § 4323(h)(1), respectfully request this Court waive the \$300 filing fee and other fees and costs associated with this Petition.

1. Thomas P. Harwood, III is a veteran. Harwood is a distinguished graduate of the U.S. Air Force Academy. After graduation, Harwood has served on active duty in the United States Air Force and Air Force Reserves and is currently a retiree of the United States Air Force Reserves. Harwood's periods of active-service and deployment includes his service as Chief of the U.S. Military Training Mission to Saudi Arabia, U.S. Central Command.
2. Harwood is a decorated veteran and has received numerous awards including, but not limited to: the Defense Superior Service Medal, the Legion of Merit, the Distinguished Flying Cross, and the Bronze Star Medal.

3. Harwood's lawsuit and present appeal are brought pursuant to the Uniformed Services Employment and Reemployment Rights Act ("USERRA") 38 U.S.C. § 4301, *et seq.*
4. USERRA provides "[n]o fees or court costs may be charged or taxed against any person claiming rights under this chapter." 38 U.S.C. § 4323(h)(1).
5. The Seventh Circuit has explained that "[i]n light of the plain language of 38 U.S.C. § 4323(h)(1), and Congress's intent, in USERRA and elsewhere, to lessen the costs of litigation for veterans, . . . 38 U.S.C. § 4323(h)(1) permits a USERRA litigant to initiate suit without prepaying the filing fee." *See Davis v. Advocate Health Ctr. Patient Care Exp.*, 523 F.3d 681, 685 (7th Cir. 2008).

Accordingly, Petitioner Major General Thomas P. Harwood, III respectfully requests this Court waive the filing fee requirement and other costs and fees associated with his Petition for Certiorari.

Dated: October 12, 2022



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Affidavit

Comes now Major General Thomas P. Harwood, III in the above-captioned case and affirming under 28 U.S.C. § 1746 does state as follows:

1. I am a veteran. I served on active duty in the United States Air Force from May 1981 to August 1991 and Air Force Reserves from August 1991 to September 2016. I am currently a retiree of the United States Air Force Reserves. Harwood's periods of active-service and deployment includes his service as Chief of the U.S. Military Training Mission to Saudi Arabia, U.S. Central Command.

2. During my terms of uniformed service, I was highly decorated and received numerous awards.
3. I have filed claims against my employer, American Airlines, Inc. under the Uniformed Services Employment and Reemployment Rights Act ("USERRA") 38 U.S.C. § 4301, *et seq.*, alleging violations of §§ 4311, 4312, and 4313 of that Title.

Date: 11 OCT 2022



Major General Thomas P. Harwood, III
Petitioner