

22-5171

No. _____

ORIGINAL

Supreme Court, U.S.
FILED

JUL 19 2022

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Rebekah Werth and H.C. — PETITIONER
(Your Name)

VS.

City of Stuart Police Dept., 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):

☒ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court. IFP proceedings denied under 28 U.S.C. §1915 (e). This is precisely the issue around which the Questions Presented here revolve.

☒ 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.

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

I, Rebekah Werth and H.C., 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>na</u>	\$ <u>0</u>	\$ <u>na</u>
Self-employment	\$ <u>600</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
Interest and dividends	\$ <u>0</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
Gifts	\$ <u>0</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
Alimony	\$ <u>0</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
Child Support	\$ <u>0</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
Unemployment payments	\$ <u>0</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
Other (specify): _____	\$ <u>800</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>
↙ Total monthly income:	\$ <u>1400</u>	\$ <u>na</u>	\$ <u>0</u>	\$ <u>na</u>

Other (specify): This amount is provided by abusive individuals who control our lives. They provide us with just enough money to buy food and other essentials to keep us alive, and phone service so that they can always know where we are. They sabotage every effort of ours to be self-sufficient, because then they would not be able to control us. Any amount of money we ask for, even \$5, we have to explain why we need it, and these individuals decide whether we should have it. These individuals would never knowingly provide us with money to pursue justice; a very important part of their abuse relies on maintaining us in the belief that we have no rights and that we deserve to be treated badly.

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
self	5459 SE Celestial Circle	ongoing	\$ varies widely
	Stuart, FL 34997		\$
			\$

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
na	na	na	\$ na
			\$
			\$

4. How much cash do you and your spouse have? \$ 60
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
na	\$ na	\$ na
	\$	\$
	\$	\$

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 _____

☒ Motor Vehicle #1 2016 Dodge Caravan ☐ Motor Vehicle #2
Year, make & model _____ Year, make & model _____
Value \$8,000, according to Kelly Blue Book. I owe at least \$35,000 for original purchase plus interest to abusive parties. 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
na	\$ na	\$ na
	\$	\$
	\$	\$

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").

H.C.	Name	Relationship	Age
		son	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, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	See below	na
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No	na	na
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	na	na
Utilities (electricity, heating fuel, water, sewer, and telephone)	See below	na
phone and internet: \$80	\$ 100	\$ na
Home maintenance (repairs and upkeep)	\$ 500	\$ na
Food	\$ 40	\$ na
Clothing	\$ 220	\$ na
Laundry and dry-cleaning	\$ 200	\$ na
Medical and dental expenses	\$	\$

We live in a house owned by the abusive individuals mentioned on the income page. Because we are wrongfully denied every type of public assistance and these individuals worked the situation to their advantage, we are forced to live in this house in order to have any shelter. The owners purchased this house specifically to "rent" to us, rather than financially helping us to choose the best place to live for ourselves, knowing that we would be forced to live in their house. They owners keep track each month of how much we owe them, plus interest. The owners of the house have the water and electric bills in their name. If we don't behave as they like, they can simply have the utilities turned off.

na

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 100	\$ na
Recreation, entertainment, newspapers, magazines, etc.	\$ 8	\$ na
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ na	\$ na
Life	\$ na	\$ na
Health	\$ na	\$ na
Motor Vehicle	\$ 150	\$ na
Other: _____	\$ na	\$ na
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ na	\$ na
Installment payments		
Motor Vehicle	\$ na	\$ na
Credit card(s)	\$ na	\$ na
Department store(s)	\$ na	\$ na
Other: _____	\$ na	\$ na
Alimony, maintenance, and support paid to others	\$ na	\$ na
Regular expenses for operation of business, profession, or farm (attach detailed statement)	See below	\$ na
Other (specify): _____	\$ na	\$ na
Total monthly expenses:	\$ 1398	\$ na

I included my business expenses by deducting expenses from sales to arrive at the income listed on the income page. The expenses vary widely. I occur expenses as I operate my business. I often cannot operate my business because I have to use sales income to pay for essential daily needs instead of being able to use it to conduct the business.

na

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

na

If yes, how much? _____

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

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? na _____

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

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

Regarding #1 on the income page: Because of denial of public assistance and sabotage of controlling parties, my financial situation limits sales venues for my business (German pastries) to outdoor events. Because I live in Florida, it is not possible for me to participate in these outdoor events during the summer, during which I have only occasional small custom orders. Hence, "amount expected next month" for "self-employment" is 0.

The amount provided by "other" can never be relied upon from one month to the next, because it depends entirely on how much more abuse we can tolerate. I am working on a lawsuit that will partially address this situation, but once the abusive parties are served there will probably be no more financial assistance from "other" and my child and I will probably be completely without shelter. Hence, "amount expected next month" for "other" is 0.

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

Executed on: July 18, 20 22

Rebekah Wirth
(Signature)

Also regarding #1 on the income page: Please see additional page.

Also regarding #1 on the income page: The amount listed for "Other" I list for purposes of this form only. It cannot be legally considered income, because it is a means of keeping us alive in the absence of food stamps, Medicaid and all other public assistance, which is not legally considered "income." Recipients of public assistance receive \$249 cash assistance, \$459 food stamps, unspecified amounts of medical care, free cell phone and service, discounted internet service, over \$100 for over-the-counter health supplies, and numerous other special discounts based on receipt of public assistance, none of which is legally considered income and all of which has been denied to us. The welfare department stole my IRS issued Earned Income Credit tax refund, which cannot legally be garnished, in retaliation for complaining about non-receipt of public assistance. I can no longer file a tax return, because the welfare department will continue to steal my EIC, which is over \$6,000 denied to me that single mothers in my situation are lawfully entitled to each year which is not legally considered income. Furthermore, the "other" amount depends upon allowing full control of my and my child's life to abusive parties. We are not allowed to decide how to spend money in the way that will help us best survive, such as where to live, etc.