

No. 22-5322

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
AUG 04 2022  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Pernell Swahili El — PETITIONER  
(Your Name)

VS.

San Diego Unified  
School District — 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)

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

I, Pernell El, 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>3,900.00</u>	\$ <u>N/A</u>	\$ <u>3,900.00</u>	\$ <u>N/A</u>
Self-employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Gifts	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child Support	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<b>Total monthly income:</b>	\$ <u>3,900.00</u> <u>N/A</u>	\$ <u>N/A</u>	\$ <u>3,900.00</u> <u>N/A</u>	\$ <u>N/A</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
San Diego Unified School District	4100 Normal St. San Diego, CA 92103	2011 - present	\$ 4,700.00
			\$
			\$

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	N/A	N/A	\$ N/A
			\$
			\$

4. How much cash do you and your spouse have? \$  
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
Chase	\$ 300.00	\$ N/A
Schools First	\$ 60.00	\$ N/A
Mission Credit Union	\$ 30.00	\$ N/A

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 \_\_\_\_\_

☐ Motor Vehicle #1  
Year, make & model Suburban  
Value N/A

☐ Motor Vehicle #2  
Year, make & model Honda  
Value N/A

☐ Other assets  
Description N/A  
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
<u>FTB</u>	\$ <u>1300.00</u>	\$ <u>N/A</u>
<u>                    </u>	\$ <u>                    </u>	\$ <u>                    </u>
<u>                    </u>	\$ <u>                    </u>	\$ <u>                    </u>

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
<u>H. E</u>	<u>child</u>	<u>15</u>
<u>K. E</u>	<u>child</u>	<u>13</u>
<u>A. E</u>	<u>child</u>	<u>11</u>
<u>TE</u>	<u>child</u>	

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.

Rent or home-mortgage payment  
(include lot rented for mobile home)

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

Utilities (electricity, heating fuel,  
water, sewer, and telephone)

Home maintenance (repairs and upkeep)

Food

Clothing

Laundry and dry-cleaning

Medical and dental expenses

You

<sup>Sec. 401</sup>  
<sup>Aff. 401</sup> Your spouse

\$ 1700

\$ NA

\$ NA

\$ NA

\$ Variable<sup>50</sup>

\$ NA

\$ 900

\$ NA

\$ 300

\$ NA

\$ 150

\$ NA

\$ Varies<sup>150</sup>

\$ NA

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>300</u>	\$ <u>NA</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>200</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>NA</u>	\$ _____
Life	\$ <u>NA</u>	\$ _____
Health	\$ <u>NA</u>	\$ _____
Motor Vehicle	\$ <u>NA</u>	\$ _____
Other: _____	\$ <u>NA</u>	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ <u>1060</u>	\$ _____
Credit card(s)	\$ <u>300</u>	\$ _____
Department store(s)	\$ <u>NA</u>	\$ _____
Other: _____	\$ <u>NA</u>	\$ _____
Alimony, maintenance, and support paid to others	\$ <u>NA</u>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>NA</u>	\$ _____
Other (specify): _____	\$ <u>NA</u>	\$ _____
<b>Total monthly expenses:</b>	\$ <u>3900</u> <u>Approx</u>	\$ _____

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? \_\_\_\_\_

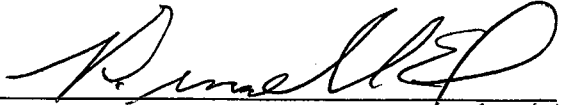
If yes, state the person's name, address, and telephone number:

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

*Please see affidavit*

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

Executed on: August, 20 22

  
(Signature) *AN RIGHTS*  
*2022*

To: The United States Supreme Court

Petitioner, Pernell El

AFFADIVIT OF FACT IN SUPPORT OF MOTION FOR IN FORMA PAUPERIS

This affidavit of fact in Support of the Motion for In Forma Pauperis is to state affirmatively, that I Pernell El, have petitioned the United State Supreme Court, via this Petition For Writ of Certiorari to redress a grievance, harmonica with the 1<sup>st</sup> Amendment. I further stated, that all lawful monies, per article 1 section 10, have been trusted to my heirs (four children). My pecuniary wages that I earn, for my energies, are for the support of heirs, comity, and for the spiritual development of my consanguinity. Any investment, and or loss of said pecuniary wages, is for the advancement of my community / consanguinity. I have another case on review at the United States Courts of Appeals for the Ninth Circuit 21-55976, against Wells Fargo Bank NA, and associates for fraud. Since, these case have ensued, Wells Fargo Bank Na, has communicated to the Franchise tax Board of California, and "coincidentally" my pecuniary wages have been misappropriated "garnished" in the amount of \$1300.00, for a corporate insurance tax, from SDUSD, who I have this case pending. I have contacted the FTB, and they refused correspondence with me, other then send me other threatening correspondences. The district court erroneously denied my motion for Leave to Proceed In Forma Pauperis, in violation of well-established law. See *Sperow v. Melvin*, 153 F. 3d 781 (7<sup>th</sup> Cir. 1998)

I Pernell El, state that I have no lawful money, save a silver coin, and that the private commercial paper that I receive for my labor, as a medium of exchange, within the UNITED STATES is not money. The Petitioner respectfully request, that the United States Supreme

Court waive the filing fee, and allow this Petition to move forward, without any further

hindrance.

Pernell EI

August 3, 2022

Pernell EI

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of

Riverside

On August 3, 2022 before me, Vincent L. Jordan, Notary Public  
(insert name and title of the officer)

personally appeared Pernell EI  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Vincent L. Jordan

(Seal)

