

ORIGINAL

STEVEN D'AGOSTINO
25 Nautilus Dr.
Barnegat NJ 08005
609-622-8964

22-6173

FILED
NOV 14 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

STEVEN D'AGOSTINO
Plaintiff - Petitioner

v.

BUNCE ATKINSON
Defendant - Appellee

UNITED STATES SUPREME COURT DOCKET NO: TBD
BELOW THIRD CIRCUIT: DOCKET NO: 21-3178
BELOW N.J. DISTRICT COURT: 3:20-cv-06330-FLW
BELOW: N.J. BANKRUPTCY COURT: 10-24143-CMG

NOTICE OF MOTION FOR INFORMA PAUPERIS (IFP)
STATUS, AND TO PROCEED ON ORIGINAL RECORD

To: Bunce Atkinson, Esq., Defendant-Appellee (pro se)
1011 Highway 71, Suite 200
Spring Lake, New Jersey 07762-2030
(732) 449-0525
bunceatkinson@aol.com

PLEASE TAKE NOTICE that Plaintiff-Petitioner, STEVEN D'AGOSTINO, shall apply to the United States Supreme Court, Washington D.C. for InForma Pauperis (IFP) status.

Plaintiff-Petitioner was already granted IFP status by the District Court. (See docket text within ECF No. 5 for 20-6330-FLW). A true copy of the docket text order is attached hereto.

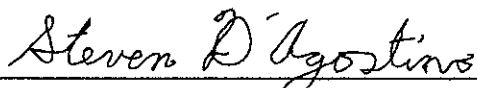
Pursuant to the provisions of *Fed. R. App. P. 24 (a)(3)*, Plaintiff-Petitioner proceeded informa pauperis within his Third Circuit appeal without further authorization.

The financial situation of Plaintiff-Petitioner has not improved since that time. Thus, Plaintiff-Petitioner requests IFP status from this Court.

Plaintiff-Petitioner further requests that the petition/appeal be heard on the original record, pursuant to *Supreme Court R. 26 (8)*. *

DECLARATION OF MOVANT, STEVEN D'AGOSTINO

Plaintiff-Petitioner Steven D'Agostino hereby certifies that the foregoing statements are true.


STEVEN D'AGOSTINO
Plaintiff-Appellant Pro Se

Dated: Nov 14, 2022

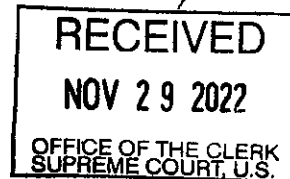
* It should be noted that there will be no District Court transcripts involved, as the District Court did not grant any oral argument. Instead, the N.J. District Court had ruled entirely upon the paper filings submitted, in addition to the original record of the N.J. Bankruptcy Court docket, 10-24143-CMG (which included the transcripts, ordered by Plaintiff-Appellant, of the 2 motion hearings conducted by the Bankruptcy Court).

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

I, Steven D'Agostino, 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>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Self-employment	\$ <u>Ø</u>	\$ <u>not married</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Income from real property (such as rental income)	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Interest and dividends	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Gifts	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Alimony	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Child Support	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Disability (such as social security, insurance payments)	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Unemployment payments	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Public-assistance (such as welfare)	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Other (specify): _____	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
Total monthly income:	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</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
unemployed for more than 2 years			\$
			\$
			\$

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			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 200
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
checking	\$ 1,900	\$ 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 \$300,000 ☐ Other real estate Value

☒ Motor Vehicle #1 Year, make & model 2001 Chevy Tracker Value 1,200 ☐ Motor Vehicle #2 Year, make & model 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
Kathleen Price	\$ 2,800 <i>default judgment</i> <i>hard to collect</i> <i>dead beat</i>	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
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
Rent or home-mortgage payment (include lot rented for mobile home)	\$ ϕ	\$ _____
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No	<i>Own home 100%</i>	
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No	<i>free and clear</i>	
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ ϕ <i>← energy assist</i>	\$ _____
Home maintenance (repairs and upkeep)	\$ ϕ <i>← do it myself</i>	\$ _____
Food	\$ 400	\$ _____
Clothing	\$ ϕ	\$ _____
Laundry and dry-cleaning	\$ ϕ	\$ _____
Medical and dental expenses	\$ ϕ <i>← adult medical</i>	\$ _____

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.

I was already granted IFP status by the Bankruptcy Court, the District Court, and the Third Circuit Court of Appeals,

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

Executed on: Nov 19, 2022, 2022

Sten D. Agosta

(Signature)

Appeal Documents

3:20-cv-06330-FLW D'AGOSTINO v.
ATKINSON CASE CLOSED on
03/24/2021

PROSE+,APPEAL,CLOSED,PROSE

U.S. District Court

District of New Jersey [LIVE]

Notice of Electronic Filing

The following transaction was entered on 11/29/2021 at 10:51 AM EST and filed on 11/29/2021

Case Name: D'AGOSTINO v. ATKINSON

Case Number: 3:20-cv-06330-FLW

Filer:

WARNING: CASE CLOSED on 03/24/2021

Document Number: No document attached

Docket Text:

Notice to Court of Appeals that the Appellant is IFP status. The Appellant was granted IFP status on 7/01/2020. (jem)

3:20-cv-06330-FLW Notice has been electronically mailed to:

BUNCE DRAPER ATKINSON bunceatkinson@aol.com

3:20-cv-06330-FLW Notice has been sent by regular U.S. Mail:

STEVEN D'AGOSTINO
25 NAUTILUS DRIVE
BARNEGAT, NJ 08005