

No. **22-6175**

ORIGINAL

Supreme Court, U.S.
FILED

OCT 24 2022

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Nancy Abbie Tallent — PETITIONER
(Your Name)

VS.

Philip Knight, 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):

7th Judicial District of Tennessee, Anderson
County, Tennessee & General Sessions

☐ 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 to Writ of Certiorari.

Nancy Abbie Tallent
(Signature)

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

I, Nancy Abbie Tallent, am the petitioner in a case from United States Sixth Circuit Court of Appeals, *Nancy Abbie Tallent v Police Officer, Philip Knight, et al.* 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 (divorced)	You	Spouse
Employment	\$ <u>50.00</u>	\$ <u>N/A</u>	\$* <u>0</u>	\$ <u>N/A</u>
Self-Employment	\$ <u>0</u>	\$ <u>N/A</u>	\$* <u>0</u>	\$ <u>N/A</u>
Income from real property (such as rental property)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>2.00</u>	\$ <u>N/A</u>	\$ <u>unknown</u>	\$ <u>N/A</u>
Gifts	\$ <u>50.00</u>	\$ <u>N/A</u>	\$ <u>unknown</u>	\$ <u>N/A</u>
Retirement (such as social Security, pensions, Annuities, insurance)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>

Other (specify):

Plasma Donation (if healthy) \$ 200 \$ 0 \$ unknown \$ 0

Per criminal activity preventing me from working since April of 2022 and the FBI not investigating, it is not believed income is possible to be received by working. If the FBI would stop the crimes perpetrated against me, these amounts could change.

Total Monthly Income: \$ 302.00 \$ 0 \$ unknown \$ 0

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions).

Employer monthly pay	Address	Dates of Employment	Gross
TreeWrite Transcription Services, Corp.	Self-owned	Entire Two years past	<u>\$600.00 average</u>

As I work on contracts, monthly income varied tremendously. I have been unable to work due to no fault of my own since April 2022.

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
<u>Not applicable</u> <u>as I am divorced</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

4. How much cash do you and your spouse have? \$ 10.00

Type of account (e.g. checking or savings)	Amount you have	Amount your spouse has
<u>Checking</u>	<u>\$487.50</u>	<u>Not applicable</u>
<u>Savings</u>	<u>\$25.18</u>	<u>Not applicable</u>

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

Home	Other real estate value
Value <u>It is believed I will inherit 1/2 of a house upon my mother's passing valued at approximately \$100,000.00.</u>	<u>None</u>

Motor Vehicle #1	Motor Vehicle #2
Year, make and model <u>2004 BMW 325 CI</u>	<u>Not Applicable</u>
Value: <u>before vandalism perhaps \$25,000</u> <u>After vandalism perhaps \$2,500</u>	

Other Assets

Description: I have household furnishings, tools, appliances and a small amount of jewelry
Value: possibly \$2,000

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 currently owed to you	Amount owed to your spouse
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Disputed regarding amounts owned	<u>0</u>	<u>Not applicable</u>
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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>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</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.

	You	Your spouse
Rent or home-mortgage payment	<u>\$100.00 and work done</u> <u>in exchange for rent and in addition</u> <u>to rent, equipment bought,</u> <u>insurance, etc.</u>	<u>\$ N/A</u>
(include lot rented for mobile home)		

Are real estate taxes included	Yes
Is property insurance included	Yes

Utilities (electricity, heating, fuel, Water, sewer and telephone)	<u>\$200.00</u>	<u>\$ N/A</u>
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Home maintenance (repairs and upkeep)	<u>\$ unknown</u>	<u>\$ N/A</u>
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Food	<u>\$ 400.00</u>	<u>\$ N/A</u>
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Clothing	<u>\$100.00 while working 0 now</u>	<u>\$ N/A</u>
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Laundry and dry cleaning	<u>\$100 while working 25 now</u>	<u>\$ N/A</u>
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Medical and dental expenses	<u>Expected \$200.00</u>	<u>\$ N/A</u>
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Transportation	<u>\$300 while working 0 now</u>	<u>\$ N/A</u>
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Recreation, entertainment, etc.	<u>\$200 while working 0 now</u>	<u>\$ N/A</u>
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Insurance (not deducted from wages or included in mortgage payments)

Homeowner's or renter's	\$ 0	\$ N/A
Life	\$ 0	\$ N/A
Health	\$ 0	\$ N/A
Motor Vehicle	\$ 50	\$ N/A
Other:	\$ N/A	\$ N/A

Taxes (not deducted from wages or included in mortgage payments)

Specify: In dispute

Installment payments

Motor Vehicles	\$ 0	\$ N/A
Credit Cards	\$ 300 while working 0 now	\$ N/A
Department store	\$ 0	\$ N/A
Other	\$ 0	\$ N/A

Alimony, maintenance and support
paid to others

\$ 0	\$ N/A
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Regular expenses for operation of business,
Profession, or farm (attach detailed statement)

\$ 0 as business is not Currently operational	\$ N/A
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Other (specify) _____

\$ 0	\$ N/A
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Total monthly expenses:

\$1,750.00 while working	\$ N/A
\$750.00 not working	

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: If I am allowed to work, yes. Lawsuit outcomes will affect income and liabilities.

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? 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?

I may possibly have to borrow from Carrie Keene in order to pay for postage of 400 pages to be mailed to the US Supreme Court for copies of this petition when a paid attorney is charged nothing with electronically filing a like petition. It is unknown how long this abuse will continue or what the cost will be.

Carrie Keene
223 Louisiana Ave
Oak Ridge, TN 37830

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

I have not been able to work since April of 2022 as hackers on my computer have blocked three job offers. Since April it appears my job applications are blocked at the server. I get improper responses of not being hired from improper email addresses. My car was vandalized and disabled which prevents me from working outside the home. I have four false arrests currently on my record which need to be expunged. I have waited three years to go to trial on two charges which prosecution cannot prevail on as to do so will ensure the prosecutor and his witnesses should be placed under arrest for perjury and presenting false evidence. Even with evidence on police video of police officer's guilt, to date, there has been no investigation. I owe approximately \$6,000.00 in credit card debt.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief at the time of execution.

Executed on: November 22, 2022

Nancy A. Tallent
Signature

Docket Number _____

SUPREME COURT OF THE UNITED STATES

NANCY ABBIE TALLENT

Petitioner,

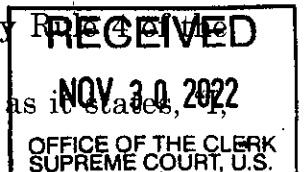
v

POLICE OFFICER PHILLIP KNIGHT,
OAK RIDGE POLICE DEPARTMENT,
CITY OF OAK RIDGE, TENNESSEE
JAIL ADMINISTRATOR RICHARD PARKER,
SHERIFF RUSSELL BARKER, and
ANDERSON COUNTY, TENNESSEE

Respondents.

Second Amended Motion for Leave to Proceed Without Prepaying Fee/Costs

Comes now the Petitioner, Nancy Abbie Tallent, and moves this Honorable Court for leave to proceed without prepaying fees or costs. The provided form from the US Supreme Court is attached hereto with the Affidavit or Declaration in Support of Motion for Leave to Proceed Without Prepaying Fees/Costs. Jacob Levitan denied her previous request for the court to make copies without submitting to this Honorable Court for a decision. Petitioner is not a prisoner and is not required to be in compliance with 28 U.S.C. § 1746. However, Jacob Levitan of the U.S. Supreme Court has demanded this Petitioner attach a affidavit as though she were a prisoner in compliance with 28 U.S.C. § 1746 in order to present her documents to this Honorable Court. The affidavit which is attached in support of this motion is in compliance as prescribed by FRAP. The form Jacob Levitan provided was not possible to be used as it states, FRAP. The form Jacob Levitan provided was not possible to be used as it states, FRAP.



_____, am the petitioner in the above-entitled case.” There is no above-entitled case on that form and therefore unusable as sent. Petitioner was forced to recreate the form in order to meet Jacob Levitan’s overly burdensome requirements.

Petitioner also states that as a prisoner she would not be required to send 10 copies of all documents. As a paid attorney, she would not be required to send 10 copies. This is in demanded by the Supreme Court Rules of Procedure; however, since the age of digital processing it is believed this is no longer a necessity. Petitioner objects to the overly burdensome demands and unnecessary expense arising from Jacob Levitan’s requirements and requests an investigation into his seemingly unethical behavior and giving legal advice if not licensed to practice law in the state of Tennessee. Petitioner attaches the letter from Jacob Levitan to this Motion. **(Petitioner’s Exhibit B)**

Petitioner was granted the right to counsel on basis of indigency in Anderson County Circuit Court. United States District Court, Eastern District of Tennessee at Knoxville ruled the fact Plaintiff was indigent moot. The Sixth Circuit Court of Appeals denied Plaintiff’s Motion to Proceed In Forma Pauperis based on a frivolous claim; however, no evidence was entered into District or Appellate Courts upon which to make a ruling on the nature of this case.

Petitioner attaches ten copies of all items demanded by Jacob Levitan. However, as the Supreme Court Rules of Procedure do not require copies to be one item per page except for the original to be filed, the copies have been compressed. They are clearly legible and in compliance with the continuing demands made by Jacob Levitan. Petitioner also states that she is not paying the \$300 docket fee and thereby not sending in a booklet format or filing electronically as she is not allowed to file electronically.

Petitioner requests that if Jacob Levitan is going to continue to force Petitioner to submit more and more items, that the court will keep the very many copies she is forced to make and simply let her supplement as the réquests continue. The Petition for Writ of Certiorari will not change except for the mailing date.

Petitioner also asks for an extension of time to submit this Petition and Motion if the 90-day deadline passes due to clerical errors or time passes due to mailing documents back and forth which petitioner has no control over. Petitioner has shown good faith in attempting to comply with all rules set forth and relies on *Estelle v. Gamble*, 429 US 97, 106, if unintentional errors have occurred.

I, Nancy Abbie Tallent, do solemnly swear under penalties of perjury, that owing to my poverty, I am not able to bear the expense of the action which I am about to commence, and that I am justly entitled to the relief sought, to the best of my belief. The affidavit in support of this motion is attached hereto.

As explanation of the attached affidavit, my computer and telephone have been hacked for two years. This is believed to be in connection with my court cases as that is the only party that these actions benefit. I have contacted the local police, TBI, and FBI regarding this and no one has responded. I have contacted them via internet, phone, US mail and in person. I lost my job in April of 2022. I applied and received three job offers which were blocked in getting to me. I emailed and mailed. My phone calls were disconnected every time. Since then, I am unable to even apply for jobs as it appears my applications are blocked at the server. Job offers now appear false. I have proof of this criminal activity which I am willing and able to submit if necessary.

Since I am unable to work, I have exhausted all credit that I have. There is no end in sight to these violations as no one will stop them.

Therefore, I plead with this court to allow me to proceed with this matter without paying costs or fees at the onset. Petitioner specifically pleads for Jacob Levitan to place this matter on the docket as allowed by the Supreme Court Rules of Procedure without any further undue burden placed upon Petitioner. If Petitioner loses this matter, then costs can be assessed at that time.

Submitted (mailed) this the 22nd day of November, 2022


Nancy Abbie Tallent, pro se
223 Louisiana Ave
Oak Ridge, TN 37830
Nancytallent8@gmail.com
865-722-2330

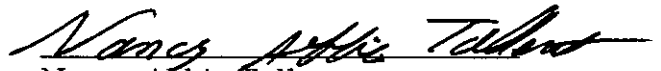
CERTIFICATE OF SERVICE

In accordance with Rule 29 of the Supreme Court Rules, I hereby certify that a true and correct copy of the foregoing has been sent to the below-listed party(ies) in this matter to the following:

Caitlin Burchette
Taylor and Knight
800 S. Gay Street, St 600
Knoxville, TN 37929
cburchette@taylorknightlaw.com

Benjamin Lauderback
Watson, Roach, Batson & Lauderback,
P.L.C.
P. O. Box 131
Knoxville, Tennessee 37901-0131
blauderback@watsonroach.com

Mailed this the 22nd day of November, 2022.


Nancy Abbie Tallent

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

November 16, 2022

Nancy Tallent
223 Louisiana Ave.
Oak Ridge, TN 37830

RE: Tallent v. Knight, et al.
USCA6 No. 22-5126

Dear Ms. Tallent:

The above-entitled petition for writ of certiorari was originally postmarked October 24, 2022 and received again on November 15, 2022. The papers are returned for the following reason(s):


The affidavit or declaration of indigency does not comply with Rule 39. The proper form is enclosed for your convenience. Please be advised that the appended order of the Criminal Court for Anderson County, Tennessee, which references appointment of counsel by that court, does not obviate the requirement that you file an affidavit or declaration in support of the motion for leave to proceed in forma pauperis for the purpose of filing a petition for a writ of certiorari seeking review of the September 7, 2022 order of the United States Court of Appeals for the Sixth Circuit in No. 22-5126.

You are required to file an original and 10 copies of the petition (including the appendix) and motion for leave to proceed in forma pauperis (including the affidavit or declaration in support of the motion). Rule 12.2. The Rules of this Court make no provision for the filing of a "Request to Make Copies."

Please correct and resubmit as soon as possible. Unless the petition is submitted to this Office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5.

A copy of the corrected petition must be served on opposing counsel.

Sincerely,
Scott S. Harris, Clerk
By:


Jacob Levitan
(202) 479-3392

*Petitioner's
Exhibit B*