

22-6215

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED

NOV 07 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

BRENDA DAVIS __ PETITIONER

vs.

MALLARDS LANDINGS ASSOCIATES LTD. D/B/A

MISSION POINTE APARTMENTS __ 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*.

1. Petitioner has previous been granted leave to proceed *in forma pauperis* in the following court(s): IN THE CIRCUIT COURT, FOURT JUDICIAL CIRCUIT, IN AND FOR DUVAL COUNTY, FLORIDA-CASE NO: 16-2021-CC-010992, DIVISION CC-D. **CERTIFICATE OF INDIGENCE** I, JODY PHILLIPS, Clerk of the Circuit Courts, Duval County, Florida, do hereby certify that petitioner Brenda Davis has filed an affidavit of indigency in this case in accordance with 57.081(1), Florida Statutes, and it appears that said affidavit is sufficient and that the petitioner, is entitled to receive the services of the courts, sheriffs and clerks with respect to this proceeding. Witness my hand and seal at Jacksonville, Florida, this 7th day of April, 2022. (See Granted Certificate of Indigency Attached).

Brenda Davis

(Signature)

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OFFICE OF THE CLERK
SUPREME COURT, U.S.



JODY PHILLIPS
Clerk of the Circuit Court

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NUMBER: 16-2021-CC-010992-XXXX-MA
DIVISION: CC-D

Brenda Davis

vs. Plaintiff(s)

Mallards Landing Associates LTD d/b/a
Mission Pointe Apartments

Defendant(s)

CERTIFICATE OF INDIGENCE

I, JODY PHILLIPS, Clerk of the Circuit and County Courts, Duval County, Florida, do hereby certify that
petitioner Brenda Davis
has filed an affidavit of indigency in this case in accordance with Section 57.081(1), Florida Statutes, and it
appears that said affidavit is sufficient and that the petitioner, is entitled to receive the services of the courts, sheriffs,
and clerks with respect to this proceeding.

Witness my hand and seal at Jacksonville, Florida, this 7th day of April, 2022

JODY PHILLIPS
CLERK OF THE CIRCUIT COURT

By: *Kapenta*
Deputy Clerk

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

I, Brenda Davis, 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>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</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>4/A</u>	\$ <u>4/A</u>	\$ <u>4/A</u>	\$ <u>4/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>10/A</u>	\$ <u>10/A</u>	\$ <u>10/A</u>
Gifts	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>10/A</u>
Alimony	\$ <u>4/A</u>	\$ <u>N/A</u>	\$ <u>4/A</u>	\$ <u>10/A</u>
Child Support	\$ <u>4/A</u>	\$ <u>4/A</u>	\$ <u>4/A</u>	\$ <u>4/A</u>
Retirement (such as social security, pensions,✓ annuities, insurance)	\$ <u>1,919.11</u>	\$ <u>N/A</u>	\$ <u>1,920.11</u>	\$ <u>4/A</u>
Disability (such as social security, insurance payments)	\$ <u>112</u>	\$ <u>N/A</u>	\$ <u>112</u>	\$ <u>4/A</u>
Unemployment payments	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>10/A</u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>4/A</u>
Other (specify): <u>10/a</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Total monthly income:	\$ 2041.11	\$ N/A	\$ 2041.11	\$ N/A

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

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

4. How much cash do you and your spouse have? \$ 300

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	\$ 530	\$ N/A
N/A	\$ N/A	\$ N/A
N/A	\$ N/A	\$ 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 N/A

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

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

Other assets
Description N/A
Value N/A

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>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</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>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</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 (include lot rented for mobile home)	\$ <u>1,528</u>	\$ <u>N/A</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>N/A</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>N/A</u>	\$ <u>10/A</u>
Food	\$ <u>100</u>	\$ <u>N/A</u>
Clothing	\$ <u>20</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>30</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>40</u>	\$ <u>N/A</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 30	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 20	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ N/A	\$ N/A
Life	\$ 58.40	\$ N/A
Health	\$ 17.46	\$ N/A
Motor Vehicle	\$ N/A	\$ N/A
Other: <u>N/A</u>	\$ N/A	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>N/A</u>	\$ N/A	\$ N/A
Installment payments		
Motor Vehicle	\$ N/A	\$ N/A
Credit card(s)	\$ 45	\$ N/A
Department store(s)	\$ N/A	\$ N/A
Other: <u>N/A</u>	\$ N/A	\$ N/A
Alimony, maintenance, and support paid to others	\$ N/A	\$ N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ N/A	\$ N/A
Other (specify): <u>N/A</u>	\$ N/A	\$ N/A
Total monthly expenses:	<u>\$ 1,858.86</u>	<u>\$ N/A</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? N/A

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

N/A

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? N/A

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

N/A

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

LOW INCOME

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

Executed on: November 29, 2022

Brenda Jare

(Signature)