

No. **22-6248**

ORIGINAL

Supreme Court, U.S.
FILED

DEC 01 2022

OFFICE OF THE CLERK

IN THE SUPREME COURT OF THE UNITED STATES

PAUL TAY, PETITIONER,

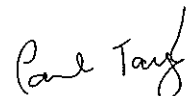
v.

MICHELLE DIANE TILLEY NICHOLS, et. al.

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.

Petitioner has previously been granted leave to proceed in forma pauperis in the Oklahoma Supreme Court.



Paul Tay

Pro se

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

I, Paul Tay, 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 | 0 | 0 | 0 | 0 |
| Self-employment | 0 | 0 | 0 | 0 |
| Rental Income | 0 | 0 | 0 | 0 |
| Interest and Dividends | 0 | 0 | 0 | 0 |
| Gifts | 100 | 0 | 100 | 0 |
| Alimony | 0 | 0 | 0 | 0 |
| Child Support | 0 | 0 | 0 | 0 |
| Retirement | 0 | 0 | 0 | 0 |
| Disability | 0 | 0 | 0 | 0 |
| Unemployment | 0 | 0 | 0 | 0 |
| Public Assistance | 200 | 0 | 200 | 0 |
| Total Monthly Income | 300 | 0 | 300 | 0 |

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

| Employer N/A | Address N/A | Dates of Employment N/A | Gross Monthly 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 N/A | Address N/A | Dates of Employment N/A | Gross Monthly N/A |
|-----------------|----------------|----------------------------|----------------------|
|-----------------|----------------|----------------------------|----------------------|

4. How much cash do you and your spouse have? \$0 Below, state any money you or your spouse have in bank accounts or in any other financial institution..

| Type of Account N/A | Amount you have 0 | Amount spouse has 0 |
|------------------------|----------------------|------------------------|
|------------------------|----------------------|------------------------|

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings. **Petitioner owns no home, real estate, vehicles, or any other assets beyond clothing and ordinary household furnishings.**

6. State every person, business, amount owed, or organization owing you or your spouse money, and the amount owed. No person, business, or organization owe the Petitioner or spouse any money.

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"). **No person relies on the Petitioner or spouse for support.**

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 | Spouse |
|-----|--------|
|-----|--------|

| | | |
|-------------------------------|-----|---|
| Rent or home mortgage payment | 0 | 0 |
| Utilities | 0 | 0 |
| Home Maintenance | 0 | 0 |
| Food | 200 | 0 |
| Clothing | 0 | 0 |
| Laundry and dry-cleaning | 50 | 0 |
| Medical and dental expenses | 0 | 0 |
| Transportation | 50 | 0 |
| Recreation | 0 | 0 |
| Insurance | 0 | 0 |
| Taxes | 0 | 0 |

| | | |
|--|-----|---|
| Installment payments | 0 | 0 |
| Alimony | 0 | 0 |
| Regular expenses for operation of business, profession, or farm | 0 | 0 |
| Total Monthly Expenses | 300 | 0 |

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months? **Petitioner expects no changes.**

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**

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? **NO**

12. Provide any other information that will help explain why you cannot pay the costs of this case. **The Tulsa County District Attorney detained the Petitioner on pre-trial detention from 23AUG2021 to 8AUG2022. During that time, the Petitioner lost home, income, property, vehicles, and all assets. Since release and dismissal of charges due to witness credibility, the Petitioner is homeless, relying on panhandling, gifts from friends and family, public assistance, and SNAP food benefits.**

I declare under penalty of perjury that the foregoing is true and correct. Executed on: 30NOV2022.

Paul Tay
Paul Tay

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

PAUL TAY, PETITIONER,

v.

MICHELLE DIANE TILLEY NICHOLS, et al.

PROOF OF SERVICE

I, Paul Tay, do swear or declare that on or about this date, 29NOV2022 , as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows: Melanie Wilson Rughani, Counsel for Respondents, Crowe & Dunlevy, Braniff Building, 324 N. Robinson, Ste. 100, Oklahoma City, OK 73102.

Paul Tay
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