

No. 22-6336

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.  
FILED  
NOV 28 2022  
OFFICE OF THE CLERK

James C. Tate, Pro Se – PETITIONER

Verses

United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial  
and Service Workers International Union Local 8363 – RESPONDENT

MOTION FOR LEAVEE TO PROCEED IN FORMA PAUPERIS

The petitioner asks leave to file attached petition for a writ of certiorari  
without prepayment of costs and to proceed *in forma pauperis*.

The Petitioner has **not** previously been granted leave to proceed *in forma pauperis*  
in any court.

The petitioner's affidavit or declaration in support of this motion is attached hereto.  
The petitioner is Pro Se and does not have counsel appointed in this proceeding and  
no order of appointment is appended.



James C. Tate, Pro Se

Application No. 22A287  
**RECEIVED**  
DEC 5 2022  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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

I, James C. Tate, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my fixed income and financial obligations are unable to pay the costs of this case or give security therefor, and I believe I am entitled to redress.

1. For both myself and \*spouse estimate the average amount of money received from each of the following sources during the past 12 months.
2. Amount that was received during this time to show gross monthly rate. My spouse has separated from our home since May 2021. I have no knowledge of her income. \* And because she moved out and segregated our finances, I have incurred a tax penalty of \$20,700.00 from the IRS for non-compliance with the Affordable Care Act medical benefits received for the both of us.

Income source	Average monthly gross income past 12 months		Amount est. next month	
	Self	Spouse	Self	Spouse
Employment	\$ 0	unknown	\$ 0	unknown
Self-employment	\$ 0	unknown	\$ 0	unknown
Income from rental	\$1250.00	unknown	\$ 800.00	unknown
Interest and dividends	\$ 60.00	unknown	\$ 60.00	unknown
Gifts	\$ 0	unknown	\$ 150.00	unknown
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement/Pensions	\$603.03	\$ 0	\$603.03	\$ 0
Unemployment/Welfare	\$ 0	unknown	\$ 0	unknown
Other; Social Security	\$2111	unknown	\$2111	unknown
<b>Total monthly Income</b>	<b>\$4,024.03</b>	N/A	<b>\$3,874.03</b>	N/A

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

The Petitioner has not been employed since September 1, 2017.

3. Spouse was last known employed by

Wellistics Conditioning Center	From 2015 to 2020	1160.00
4228 Williams Blvd #201		
Kenner, LA 70065		
(504) 224-8400		

After COVID-19 Vaccine Availability

Wellistics Conditioning Center	From 2020 to 2021	840.00
4228 Williams Blvd #201		
Kenner, LA 70065		
(504) 224-8400		

4. Cash in the bank and other institutions:

Self-Petitioner	Spouse
Savings \$1500.00	Total savings cash/IRA as of 2021
401K/IRA \$152,300	was less than \$2,400.00

5. List the assets and values

Home: 2109 Sutherland	\$232,000	Rental: 661 Grovewood	\$142.000
Harvey, LA 70058		Gretna, LA 70056	

Motor Vehicle #1	Motor Vehicle #2		
2011 Ford F150	\$4,300.00	2004 BMW X3	\$1800.00

Other assets:

Motorcycle (2005 Suzuki 850), jewelry,		
Shotguns, computers and other assets	\$2300	<b>Total misc: \$8400.00</b>

6. Persons owing money to myself or spouse: N/A \$0.

7. I have one minor who dependents on me for some support and childcare.

E.T.                    Grandson                    Age 10 years

8. Estimated average monthly expenses. My spouse pays no expenses at our home now or in the past. The following are the monthly expenses paid by myself. My spouse has not contributed except for our joint tax returns.

Rent/Home Mortgage payments with taxes and insurance included:

\$1654.99 currently (estimated to increase to \$1955.00 in Jan 2023 due insurance rate increases.)

Utilities (electricity, natural gas, water, garbage, sewer, internet, cable, cell phone)

\$494.99

Home maintenance (repairs and upkeep)

Lawn and yard for both home and rental	\$125
General fixtures, A/C filters, water filters, etc	\$60
Food	\$440
Clothing	\$40
Laundry and dry cleaning	\$30
Medical and dental	\$177
Transportation and Auto Insurance	\$500
Flood insurance (annually Approx. \$720)	\$60
Life insurance	\$54
Taxes (federal \$20,700 requesting new payment schedule)	\$400
Credit Cards	\$310
Alimony and other support paid to other	none

**Total monthly expenses                    \$4,344.99**

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, I expect an 8.7% increase in social security benefits from \$2,111 to \$2,294.65 monthly increase of \$183.65. I also expect all cost to increase in accordance with expected CPI. I also expect to have window replacements and other maintenance postponed at my rental of approximately \$7200.

10. I have not paid-or will not pay an attorney any money for services in connection with this case, including the completion of this form. I have had to renew computer subscription and other costs to complete this form.

11. I have not paid- and will not pay anyone other than an attorney any money for services in connection with this case, including the completion of this form.

12. I will be filing for divorce in the immediate future and anticipate cost associated with that filing and possible liabilities my spouse may have incurred without my knowledge.

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

Executed on November 28, 2022



James C. Tate, Pro Se