

22-6339

IN THE SUPREME COURT OF THE UNITED STATES ORIGINAL

DEREK JONES,
Petitioner,

vs.

STATE BAR OF CALIFORNIA,
Respondent.

Captioned as "Jones on Discipline" by the
Supreme Court of California

**MOTION FOR LEAVE TO PROCEED
*IN FORMA PAUPERIS***

Petitioner respectfully requests leave to file the accompanying
Petition for Writ of Certiorari without prepayment of costs and instead to
proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma
pauperis* (i.e., a waiver of filing fees, etc.) in the following courts: Superior
Court of California, County of Los Angeles; and California Court of
Appeal (2nd Appellate District).

Petitioner's affidavit in support of this Motion is attached hereto.

DATED: November 29, 2022


Derek Jones, Petitioner

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

I, Derek Jones, 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>4,0000</u>	\$ <u>N/A divorced 2/19</u>	\$ <u>4,000</u>	\$ <u>N/A divorced 2/19</u>
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
Total monthly Income:	\$ <u>4,000</u>	\$ _____	\$ <u>4,000</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
Imperative LLC	1200 E. California Blvd.	Jan. 2020 to present	\$ 4,000
	Pasadena CA 91106		\$
			\$

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 divorced 2/19			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 800
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	\$ 800	\$
	\$	\$
	\$	\$

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

☐ Home
Value _____

☐ Other real estate
Value _____

☒ Motor Vehicle #1
Year, make & model 2014 Ford Expedition
Value \$ 12,000

☐ 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
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
L.J. _____	son _____	14 _____
E.J. _____	son _____	12 _____
S.J. _____	son _____	10 _____

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)	\$ 4,000 _____	\$ _____
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 300 _____	\$ _____
Home maintenance (repairs and upkeep)	\$ 100 _____	\$ _____
Food	\$ 800 _____	\$ _____
Clothing	\$ 50 _____	\$ _____
Laundry and dry-cleaning	\$ 0 _____	\$ _____
Medical and dental expenses	\$ 50 _____	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 100	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ 15	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$	\$
Life	\$	\$
Health	\$	\$
Motor Vehicle	\$ 125	\$
Other: _____	\$	\$
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$	\$
Installment payments		
Motor Vehicle	\$ 435	\$
Credit card(s)	\$	\$
Department store(s)	\$	\$
Other: _____	\$	\$
Alimony, maintenance, and support paid to others	\$	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$	\$
Other (specify): _____	\$	\$
Total monthly expenses:	\$ 5,975	\$

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.

The need for this Motion for Leave stems from the same decision by Respondent State Bar of California from which Petitioner seeks relief. Specifically, in December 2018, the State Bar commenced a disciplinary proceeding against Petitioner that was both unlawful (as more fully set forth in his Petition) and widely publicized, resulting in significant diminution in Petitioner's income-earning capacity.

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

Executed on: 29 November, 2022



(Signature)