

22-6876 ORIGINAL
No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Haroun Bacchus — PETITIONER

V.

Misty Thomson and Alexander Yerkes — RESPONDENTS

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):

1. Superior Court of California, County of Los Angeles Superior Court,
111 North Hill Street
Los Angeles, CA 90012


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

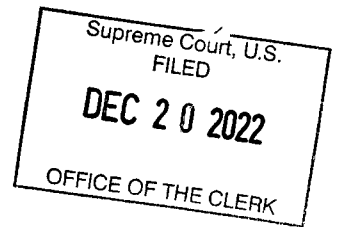
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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.


(Signature)



FW-008

Order on Court Fee Waiver After Hearing (Superior Court)

Clerk stamps date here when form is filed.

1 Person who asked the court to waive court fees:

Name: HAROLD BACCHUSStreet or mailing address: 2210 3rd St. #101City: Santa Monica State: CA Zip: 90405

2 Lawyer, if person in 1 has one (name, address, phone number, e-mail, and State Bar number): N/A

FILED
Superior Court of California
County of Los Angeles

FEB 24 2015

Shirley R. Carter, Executive Officer/Clerk
By E. Gregg Deputy

3 A request to waive court fees was filed (date): 01/30/2015

4 There was a hearing on (date): 2-24-2015

at (time): 1:30 pm. in (Department): 44

The following people were at the hearing (check all that apply):

- ☒ Person in 1 ☐ Lawyer in 2
☐ Others (names):

Fill in court name and street address:

Superior Court of California, County of
Los Angeles Superior Court
111 No. Hill St.
Los Angeles, CA. 90012

Fill in case number and name:

Case Number: 15200946
Case Name:

Read this form carefully. All checked boxes ☒ are court orders.

Notice: The court may order you to answer questions about your finances and later order you to pay back the waived fees. If this happens and you do not pay, the court can make you pay the fees and also charge you collection fees. If there is a change in your financial circumstances during this case that increases your ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010.) If you win your case, the trial court may order the other side to pay the fees. If you settle your civil case for \$10,000 or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

5 After reviewing your (check one): ☒ Request to Waive Court Fees ☐ Request to Waive Additional Court Fees the court makes the following order:

a. ☒ The court grants your request and waives your court fees and costs as follows:

(1) ☒ Fee Waiver. The court grants your request and waives your court fees and costs listed below (Cal. Rules of Court, rule 3.55.) You do not have to pay the court fees for the following:

- Filing papers in superior court
- Making copies and certifying copies
- Sheriff's fee to give notice
- Reporter's daily fee (for up to 60 days after the grant of the fee waiver, at the court-approved daily rate)
- Preparing and certifying the clerk's transcript on appeal
- Giving notice and certificates
- Sending papers to another court department
- Court-appointed interpreter in small claims court
- Court fees for phone hearing

(2) ☐ Additional Fee Waiver. The court grants your request and waives your additional superior court fees and costs that are checked below. (Cal. Rules of Court, rule 3.56.) You do not have to pay for the checked items.

- ☐ Jury fees and expenses
- ☐ Fees for court-appointed experts
- ☐ Reporter's daily fees (beyond the 60-day period after grant of the fee waiver, at court-approved daily rate)
- ☐ Other (specify):
- ☐ Fees for a peace officer to testify in court
- ☐ Court-appointed interpreter fees for a witness

(3) ☐ Fee Waiver for Appeal. The court grants your request and waives the fees and costs checked below, for your appeal. (Cal. Rules of Court, rules 8.26 and 8.818.) You do not have to pay for the checked items.

- ☐ Preparing and certifying clerk's transcript for appeal
- ☐ Other (specify):

Case Name:

Case Number:

b. ☐ The court denies your request and will not waive or reduce your fees and costs.

(1) The reason for this denial is as follows:

(a) ☐ Your request is incomplete, and you did not provide the information that the court requested (*specify items missing*): _____

(b) ☐ You did not go to court on the hearing date to provide the information the court needed to make a decision.

(c) ☐ The information you provide shows that you are not eligible for the fee waiver you requested because (*check all that apply*):

i. ☐ Your income is too high.

ii. ☐ Other (*explain*): _____

(d) ☐ There is not enough evidence to support a fee waiver.

(e) ☐ Other (*state reasons*): _____

(2) ☐ You may pay some court fees and costs over time. You may make monthly payments of \$ _____ beginning (*date*): _____ and then payable on the 1st of each month after that, until the fees checked below are paid in full:

(a) ☐ Filing fees.

(b) ☐ Other (*describe*): _____

You must pay all other court fees and costs as they are due.

c. ☐ The court partially grants your request so you can pay court fees without using money you need to pay for your household's basic needs. You are ordered to pay a portion of your fees, as checked below. The court only partially grants the request because (*state reasons for partial denial*): _____

(1) ☐ You must pay _____ % of your court fees.

(2) ☐ The court waives some fees. The fees checked below are waived. You must pay all other court fees.

☐ Filing papers at superior court

☐ Sheriff's fee to give notice

☐ Court-appointed interpreter

☐ Reporter's daily fee up to 60 days after order

☐ Jury fees and expenses

☐ Court-appointed experts' fees

☐ Making certified copies

☐ Other (*describe*): _____

☐ Giving notice and certificates

☐ Sending papers to another court department

☐ Court-appointed interpreter fees for a witness

☐ Reporter's daily fees beyond the 60 days after initial order

☐ Fees for a peace officer to testify in court

☐ Court fees for telephone hearings

(3) ☐ Other (*specify*): _____

Warning! If b or c above are checked: You have 10 days after the clerk gives notice of this order (see date below) to pay your fees as ordered, unless there is a later date for beginning payments in item b(2). If you do not pay, your court papers will not be processed. If the papers are a notice of appeal, your appeal may be dismissed.

Date: 2-24-2015

Signature of Judicial Officer

Clerk's Certificate of Service

I certify that I am not involved in this case and (*check one*): ☐ A certificate of mailing is attached.

☒ I handed a copy of this order to the party and attorney, if any, listed in ① and ②, at the court, on the date below.

☐ This order was mailed first class, postage paid, to the party and attorney, if any, at the addresses listed in ① and ②, from (*city*): LOS ANGELES, California on the date below.

Date: 2-24-2015

Clerk, by

, Deputy

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

I, Haroun Bacchus, 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 your 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>0</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Self-employment	\$ <u>850.00</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Income from real property	\$ <u>0</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Interest and dividends	\$ <u>250</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Gifts	\$ <u>0</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Child Support	\$ <u>0</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Retirement	\$ <u>0</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Disability	\$ <u>0</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Public-assistance	\$ <u>0</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Other (specify): <u>Barker</u>	\$ <u>20 → 200</u>	\$ <u>N/A</u>		\$ <u>N/A</u>
Total monthly income:	\$ <u>1,250</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
SHM & Assoc.	1379 W. Park Western Dr. San Pedro, CA 90732	08/06/2001 → 09/03/2020	\$ 650.00 per Diem

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

4. How much cash do you and your spouse have? \$ Overdrawn (-)

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
Pension Account	\$ N/A
\$ ≈ \$97,250	\$ 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 \$
[] Other real estate Value \$

[] Motor Vehicle #1
Year, make & model
Value No running vehicles

[] Motor Vehicle #2
Year, make & model
Value

[] Other assets
Description Personal Property
Value \$ ≈ 3,750

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Mits Thomson
Jose Rodriguez

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>Misty Thomson</u>	<u>\$ 9,300</u>	\$ N/A
<u>Jon Rodriguez</u>	<u>\$ 5,600</u>	\$ N/A

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
N/A	N/A	N/A

8. Estimate your average monthly expenses. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your Spouse
<u>Rent</u> or home-mortgage payment <u>1st Apartment</u> (include lot rented for mobile home) <u>2nd Apartment</u>	\$ <u>≈ 750.-</u> <u>≈ 210.-</u>	

Are real estate taxes included? ☒ Yes ☐ No

Is property insurance included? ☒ Yes ☐ No

Utilities (electricity, ☒ heating, ☒ fuel, ☒ water, sewer, and telephone) \$ 85.-

Home maintenance (repairs and upkeep) \$ 0

Food \$ 175.-

Clothing \$ 2.-

Laundry and dry-cleaning \$ 5.-

Medical and dental expenses \$ 0

Transportation (not including motor vehicle payments) \$ 30.-

Recreation, entertainment, newspapers, magazines, etc. \$ 15.-

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

Homeowner's or renter's \$ 0

Life \$ 0 \$

Health \$ 0 \$

Motor Vehicle \$ 0 \$

Other: \$ 0

Alimony, maintenance, and support paid to others \$ 0

Regular expenses for operation of business, profession,
or farm (attach detailed statement)

\$ 375 26.00 41.00 22.00 \$ 463.00
RENT PHONE Internet Electricity

Other (specify): \$ 0

Total monthly expenses: \$ 3,626

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 [X] 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? [] [X] No

Yes

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 [X] 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.


Presently, rent is paid on two rental properties located at: 2210 3rd. St., #101, Santa Monica, CA

90405

and 630 Pico Blvd., #5, Santa Monica, CA 90405.

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

Executed on: December 17, 2022


(Signature)

Order on Court Fee Waiver After Hearing (Superior Court)

Clerk stamps date here when form is filed.

FILED
Superior Court of California
County of Los Angeles

NOV 16 2020

Sherri R. Carter, Executive Officer/Clerk of Court
By Sosah Azzian Deputy

① Person who asked the court to waive court fees:

Name: Haroun Bacchus
Street or mailing address: 630 Pico Blvd. #15
City: Santa Monica State: CA Zip: 90405

② Lawyer, if person in ① has one: (name, firm name, address, phone number, e-mail, and State Bar number):

③ A request to waive court fees was filed (date): _____

④ There was a hearing on (date): _____
at (time): _____ in (Department): _____

The following people were at the hearing (check all that apply):

- ☐ Person in ① ☐ Lawyer in ②
☐ Others (names): _____

☐ Additional persons present listed on Attachment 4.

Read this form carefully. All checked boxes ☒ are court orders.

Notice: The court may order you to answer questions about your finances and later order you to pay back the waived fees. If this happens and you do not pay, the court can make you pay the fees and also charge you collection fees. If there is a change in your financial circumstances during this case that increases your ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010.) If you win your case, the trial court may order the other side to pay the fees. If you settle your civil case for \$10,000 or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

⑤ After reviewing your: ☒ Request to Waive Court Fees ☐ Request to Waive Additional Court Fees
the court makes the following order:

a. ☒ The court grants your request and waives your court fees and costs as follows:

(1) ☒ **Fee Waiver.** The court grants your request and waives your court fees and costs listed below (Cal.

Rules of Court, rules 3.55 and 8.818.) You do not have to pay the court fees for the following:

- Filing papers in superior court
- Making copies and certifying copies
- Sheriff's fee to give notice
- Reporter's fee for attendance at hearing or trial, if the court is not electronically recording the proceeding and you request that the court provide an official reporter
- Assessment for court investigations under Probate Code section 1513, 1826, or 1851
- Preparing and certifying the clerk's transcript on appeal
- Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834
- Making a transcript or copy of an official electronic recording under rule 8.835
- Giving notice and certificates
- Sending papers to another court department
- Court fees for phone hearing



Case Name:

Case Number:

5 a. (2) ☐ **Additional Fee Waiver.** The court grants your request and waives your additional superior court fees and costs that are checked below. (*Cal. Rules of Court, rule 3.56.*) You do not have to pay for the checked items.

☐ Jury fees and expenses

☐ Fees for a peace officer to testify in court

☐ Fees for court-appointed experts

☐ Court-appointed interpreter fees for a witness

☐ Other: (*specify*): _____

b. ☐ The court denies your request and will not waive or reduce your fees and costs.

(1) The reason for this denial is as follows:

(a) ☐ Your request is incomplete. You did not provide all of the information that the court requested. This missing items are specified: ☐ Below ☐ On Attachment 5b(1)(a)

(b) ☐ You did not go to court on the hearing date to provide the information the court needed to make a decision.

(c) ☐ The information you provide shows that you are not eligible for the fee waiver you requested because (*check all that apply*):

i. ☐ Your income is too high.

ii. ☐ The reasons stated: ☐ Below ☐ On Attachment 5b(1)(c)(ii)

(d) ☐ There is not enough evidence to support a fee waiver.

(e) ☐ Other reasons stated: ☐ Below ☐ On Attachment 5b(1)(e)

(2) ☐ You may pay some court fees and costs over time. You must make monthly payments of \$ _____ beginning (*date*): _____ and then payable on the 1st of each month after that, until the fees checked below are paid in full.

☐ Filing fees

☐ Other (*specify*): _____

You must pay all other court fees and costs as they are due.

Case Name:

Case Number:

15K 00946

- 5 c. ☐ The court **partially grants** your request so you can pay court fees without using money you need to pay for your household's basic needs. You are ordered to pay a portion of your fees, as **checked below**. The court only partially grants the request for the reasons stated: ☐ Below ☐ On Attachment 5c

- (1) ☐ You must pay _____ percent of your court fees.
- (2) ☐ The court waives some fees. The fees checked below are waived. You must pay all other court fees.
- | | |
|--|---|
| <input type="checkbox"/> Filing papers at superior court | <input type="checkbox"/> Giving notice and certificates |
| <input type="checkbox"/> Sheriff's fee to give notice | <input type="checkbox"/> Sending papers to another court department |
| <input type="checkbox"/> Court-appointed interpreter | <input type="checkbox"/> Court-appointed interpreter fees for a witness |
| <input type="checkbox"/> Jury fees and expenses | <input type="checkbox"/> Fees for a peace officer to testify in court |
| <input type="checkbox"/> Court-appointed experts' fees | <input type="checkbox"/> Court fees for telephone hearings |
| <input type="checkbox"/> Making certified copies | |
| <input type="checkbox"/> Reporter's fee for attendance at trial or hearing by reporter provided by the court | |
| <input type="checkbox"/> Other fees (specify): _____ | |

- (3) ☐ Other orders as specified: ☐ Below ☐ On Attachment 5c(3)

Warning! If b or c above are checked: You have **10 days** after the clerk gives notice of this order (see date below) to pay your fees as ordered, unless there is a later date for beginning payments in item b(2). If you do not pay, your court papers will not be processed. If the papers are a notice of appeal, your appeal may be dismissed.

Date: 11-16-2020

Signature of Judicial Officer

Clerk's Certificate of Service

C. EDWARD SIMPSON

I certify that I am not involved in this case and (check one):

- ☐ I handed a copy of this order to the party and attorney, if any, listed in ① and ②, at the court, on the date below.
- ☒ This order was mailed first class, postage paid, to the party and attorney, if any, at the addresses listed in ① and ②, from (city): _____, California, on the date below.
- ☐ A certificate of mailing is attached.

Date: 11/16/2020

Clerk, by _____, Deputy
Name: _____

Sosoh Azizian