

No. 22-6915

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IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
FEB 01 2023
OFFICE OF THE CLERK

Leon H. McCormick, Pro Se — PETITIONER
(Your Name)

VS.

Denis McDonough, Sec. of Veteran Affairs — 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*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

U.S. Federal Circuit

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.

Leon H. McCormick
(Signature)

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

I, Leon H. McCormick, 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>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>1,182.00</u>	\$ <u>0</u>	\$ <u>1,182.00</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>1,442.10</u>	\$ <u>0</u>	\$ <u>1,442.10</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>Spousal Support</u>	\$ <u>0</u>	\$ <u>456.00</u>	\$ <u>0</u>	\$ <u>456.00</u>
Total monthly income:	\$ <u>2,624.10</u>	\$ <u>456.00</u>	\$ <u>2,624.10</u>	\$ <u>456.00</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
<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>	<u>N/A</u>	<u>N/A</u>	\$ <u>N/A</u>

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
<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>	<u>N/A</u>	<u>N/A</u>	\$ <u>N/A</u>

4. How much cash do you and your spouse have? \$ 50.00
 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
<u>Checking Joint Account</u>	\$ <u>95.00</u>	\$ <u>same</u>
<u>Savings Joint Account</u>	\$ <u>400.00</u>	\$ <u>same</u>
<u>Checking Joint Account</u>	\$ <u>134.00</u>	\$ <u>same</u>
<u>Savings Joint Account</u>	\$ <u>295.00</u>	

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

Home
 Value 0

Other real estate
 Value 0

Motor Vehicle #1
 Year, make & model 2000 Chevy Tahoe
 Value \$1,000

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

Other assets
 Description N/A
 Value NA

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>Same</u>	\$ <u>100.00</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>Same</u>	\$ <u>0</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>22.25</u>	\$ <u>0</u>
Life	\$ <u>0</u>	\$ <u>0</u>
Health	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>Same</u>	\$ <u>55.00</u>
Other: <u>AAA</u>	\$ <u>47.00</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>45.00</u>	\$ <u>0</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s)	\$ <u>0</u>	\$ <u>0</u>
Department store(s)	\$ <u>0</u>	\$ <u>30.00</u>
Other: <u>personal loan</u>	\$ <u>100.00</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>0</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>✓ 850.00 owed</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly expenses:	\$ <u>2,098</u>	\$ <u>Same</u>

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>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
<u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</u>
<u>Ø</u>	\$ <u>Ø</u>	\$ <u>Ø</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>

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>900.00</u>	\$ <u>Same</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>524.27</u>	\$ <u>Same</u>
Home maintenance (repairs and upkeep)	\$ <u>45.00</u>	\$ <u>Same</u>
Food	\$ <u>300.00</u>	\$ <u>Same</u>
Clothing	\$ <u>Ø</u>	\$ <u>Same</u>
Laundry and dry-cleaning	\$ <u>20.00</u>	\$ <u>Same</u>
Medical and dental expenses	<u>owes \$1,800</u>	\$ <u>Ø</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? NA

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? NA

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.

See Attached

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

Executed on: February 20th, 2023

Leon H. McCormick
(Signature)

Declaration to question #12

12. The reason that I cannot pay the Court fees.

I cannot pay the Court fees because soon I will have to pay family members for assistance in help with the care of my husband. I also have Sarcoidosis and have suffered for over 44 years now, so I too need help sometimes.

We use to get help from Home Helpers but last year in July 2022, we stopped them from coming because every time we turn around their were new aids, and we were exposed to Covid-19 2 separate times. They also were getting paid even when they rendered no services for him. I have reason to believe that they are still doing it.

In the year of 2021, during the Covid-19 we applied for Covid-19 relief, but we were recently informed that the program ran out of funds. We had paid 850.00 this month and owe another 850.00.

We also have a 23 year old SUV that is in need of major repairs and we may have to get a new vehicle soon.

We also would like to move to a safe and decent house one day. Our expenses and our needs differ from month to month.

Leon H. McCormick
Kathleen K. McCormick

Leon H. McCormick

Kathleen K. McCormick