

22-6950
No. _____

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

FEB 27 2023

OFFICE OF THE CLERK

Beatrice W. Newsome - PETITIONER(S)

(Your Name)

VS.

FESTIVA RESORTS et al. -- RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner asks leave to file the attached petition for 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):

United States District Court-District of South Carolina, Charleston Division (Beatrice W. Newsome and Earl Leon Newsome 3/4/22 (Dkt. No.12) See 28U.S.C &1915(a)(1), (2) (Dkt. No. 2)-Magistrate Judge Mary Gordon Baker

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

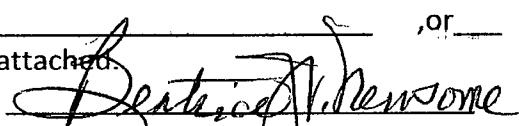
Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or delcaration is not attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law:

a copy of the appointment is attached.

, or


(Signature)

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

I, Beatrice W. Newsome, Earl L. Newsome, 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	\$ 1200.00
Self-employment	\$ 0	\$ 1200.00	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, pensions, annuities, insurance)	\$ 399.40	\$ 0	\$ 399.20	\$ 0
Disability (such as social security, insurance payments)	\$ 1441.00	\$ 864	\$ 1587.00	\$ 959.00
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify):	\$ 0	\$ 0	\$ 0	\$ 0
Total monthly income:	\$ 1840.30	\$ 2064.00	\$ 1986.20	\$ 2159.00
Total Previous Household income	\$ 1840.30		\$ 2064.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00		\$ 2159.00	
	\$ 2064.00		\$ 1986.20	
	\$ 2064.00			

Beatrice W. Newsome
Earl L. Newsome

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
O	O	O	\$ O
			\$
			\$

I last work

12/17/2019 Teacher

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
Chapley Paring		ff 10/22 Dec 21 3 mos	\$ 1200
		Outside of Chapley with Chapley	\$
			\$

Earl became per-minute employee 1/2/13

4. How much cash do you and your spouse have? \$ 141.00 Savings (most money used for bills)
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
	\$ 100.00	\$ 41.00
	\$	\$
	\$	\$

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

Home
Value 200,000 (Two hundred thousand)

Other real estate
Value 0

Motor Vehicle #1
Year, make & model 2006 Chrysler
Value 5,000

Motor Vehicle #2
Year, make & model None
Value 0

Other assets
Description _____
Value _____

Only 1 car in family

*Bertrite
Earl Newson*

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

None

\$ *None*

\$ *None*

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

None

None

✓

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.

Rent or home-mortgage payment *BOA mortg 619*
(include lot rented for mobile home) *BOA Equity 407*
1026.00

Are real estate taxes included? Yes No

Is property insurance included? Yes No

Utilities (electricity, heating fuel, *electric 125.00 mo*
water, sewer, and telephone) *gas 143.00 mo*
Water 100.00 mo

Phone, cable, *126.00 mo*
Internet *90.00 mo*
Home maintenance (repairs and upkeep) *Lowes*

Food — *353.90 mo*

Clothing *125.00 mo*

Laundry and dry-cleaning *75.00 mo*

Medical and dental expenses

Physicians *Dental 37.35 mo*
Medical - Meds *82.29 mo*
Dr. Visit - Copay *140.00 mo* } *259.64*

You	Your spouse
<i>EF 513.00</i>	<i>1026.00</i>
<i>1026.00</i>	<i>513.00</i>
<i>Earl only keeps 10.WK.</i>	
<i>We pay all bills together</i>	
<i>125.00</i>	<i>125.00</i>
<i>125.00</i>	<i>125.00</i>
<i>100.00</i>	<i>100.00</i>
<i>353.90</i>	<i>353.90</i>
<i>125.00</i>	<i>125.00</i>
<i>75.00</i>	<i>75.00</i>
<i>259.64</i>	<i>259.64</i>

Total 2,423.54

Beatrice W Newsome	You	Your Spouse
Transportation (not including motorvehicle payments)	\$75.00	\$30.00
Recreation, entertainment, newspapers, magazines, etc.	\$10.00	\$15
Insurance (not deducted from wages or included in mortgage paymenrs) <u>We pay all bills together</u>		
Homeowners' Travelers Ins.....	\$179.00 Mo	
Life Ins. Omaha.....	\$100.00Mo	
Health Medicare Hospital.....	\$300.00 Mo	
Motor Vehicle Geico.....	\$113.00 Mo	
Other Church.....	8.33 Mo.	
Taxes (not included fromwages or included in mortgage payments)		
Specify Car traxes tags yr 89.22 House taxes \$370.97= 460.19 ..38.35 Mo		
Motor Vehicle Car shield.....	110.12 Mo	
credit cards...Capital one.....	\$100.00Mo	
Stata Visa...120.00 Mo.....Choice Home Warranty48.40 Mo		
South State Bnk Loan 396.96..Mo.....Ally Bank...142.73 Mo.		
Alimony, Maintainance Regular Expenses, business professional farm.....0		
Other Car Maintenance - oil change filter etc.....66.83 2/23/23		
Total Expense.....	together 1,809.30	

9. Do you expect any major changes on your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe below...

[Yes] On 1/24/23 I made a bank load resulting in 396.96 a month for 48 months, this consolidation will result in lower interest and shorter payment time for some of my high interest bills.

10. Have you paid or will 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 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

12. Provide any other information that would help to explain why you cannot pay the cost of this case. We barely have enough money for the bills that we have now and on 9/21 our airconditioner went bad. We had to purchase a new one resulting in 142.73 more a month for the next 4 yrs.

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

Executed on: 2 - 28, 2023

Beatrice J. Newsome
Errol L. Newsome

(Signature)

CHERYL R. BRANHAM
Notary Public, State of South Carolina
My Commission Expires 08/05/2031