

22-7163 23- ORIGINAL

IN THE
Supreme Court of the United States

Supreme Court, U.S.
FILED
MAR 27 2023
OFFICE OF THE CLERK

In re:

MARCUS MARKO BACHMAYER (M.M.B.),

Petitioner.

On Petition for Writ of Habeas Corpus to the State of Minnesota Court of
Appeals

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

1274, 1280, 20 L. Ed. 2d 195 (1968) (That parents have authority to "direct the rearing of their children is basic in the structure of our society.") (citing *Prince v. Massachusetts*, 321 U.S. 158, 166, 64 S. Ct. 438, 442, 88 L. Ed. 645 (1944) ("It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder.")) (citing *Pierce v. Society of the Sisters*, 268 U.S. 510, 535, 45 S. Ct. 571, 573, 69 L. Ed. 1070 (1925) ("The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.")); *Griswold v. Connecticut*, 381 U.S. 479, 496, 85 S. Ct. 1678, 1688, 14 L. Ed. 2d 510 (1965) (Goldberg, J., joined by Warren, C. J., and BRENNAN, J., concurring) ("the traditional relation of the family" is "a relation as old and as fundamental as our entire civilization"); *Poe v. Ullman*, 367 U.S. 497, 551-552, 81 S. Ct. 1752, 1781, 6 L. Ed. 2d 989 (1961) (HARLAN, J., dissenting) ("[H]ere we have not an intrusion into the home so much as on the life which characteristically has its place in the home. ... The home derives its pre-eminence as the seat of family life. And the integrity of that life is something so fundamental that it has been found to draw to its protection the principles of more than one explicitly granted Constitutional right.")). "It is through the family that we inculcate and pass down many of our most cherished values, moral and cultural." *Moore*, 431 U.S. at 503-04, 97 S. Ct. at 1938.

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AFFIDAVIT FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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	Average monthly amount during the past 12 months	Amount expected next month	Amount expected next month
	You	Spouse	You	Spouse
Employment	\$0	n/a	\$0	n/a
Self-employment	\$0	n/a	\$0	n/a
Income from real property (such as rental income)	\$0	n/a	\$0	n/a
Interest and dividends	\$0	n/a	\$0	n/a
Gifts	\$0	n/a	\$0	n/a
Alimony	\$0	n/a	\$0	n/a
Child support	\$0	n/a	\$0	n/a
Retirement (such as social security, pensions, annuities, insurance)	\$0	n/a	\$0	n/a

last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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

n/a

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

n/a

7. State the persons who rely on you or your spouse for support.

n/a

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, semiannually, or annually to show the monthly rate.

n/a

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

No

10. Have you spent--or will you be spending--any money for expenses or attorney fees in connection with this lawsuit?

No