

No. 22-7324

FILED  
APR 12 2023  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE  
SUPREME COURT OF THE UNITED STATES

BYRON RANDALL FISHER — PETITIONER  
(Your Name)

VS.

DENIS McDONOUGH — 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):

United States Court of Appeals for Veterans Claims  
United States Court of Appeals for the 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.

Byron Randall Fisher  
(Signature)

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

I, Byron Randall Fisher,

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	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Self-employment	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Income from real property (such as rental income)	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Interest and dividends	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Gifts	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Alimony	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Child Support	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Retirement (such as social security, pensions, annuities, insurance)	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Disability (such as social security, insurance payments)	\$ <span style="border: 1px solid black; padding: 2px;">1660.23</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">1791.68</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Unemployment payments	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Public-assistance (such as welfare)	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">0</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
Other (specify): _____	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>
<b>Total monthly income:</b>	\$ <span style="border: 1px solid black; padding: 2px;">1660.23</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>	\$ <span style="border: 1px solid black; padding: 2px;">1791.68</span>	\$ <span style="border: 1px solid black; padding: 2px;">N/A</span>

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
Westchester County Board of Elections (NY)	25 Quarropas St. White Plains, NY 10601	Part-Time Since 7/2019	I do not receive monthly pay. I get paid \$350 per election.

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
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

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4. How much cash do you and your spouse have? \$  
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
National Westminster Bank - Foundation	\$ 1.26	\$ N/A
USAA Federal Savings Bank - Checking	\$ 254.99	\$ N/A
USAA Federal Savings Bank - Savings	\$ 0.02	\$ N/A

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

<input type="checkbox"/> Home Value	<input type="checkbox"/> Other real estate Value
<input type="checkbox"/> Motor Vehicle #1 Year, make & model Value	<input type="checkbox"/> Motor Vehicle #2 Year, make & model Value
<input type="checkbox"/> 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**

N/A
N/A
N/A

**Amount owed to you**

\$ N/A
\$ N/A
\$ N/A

**Amount owed to your spouse**

\$ N/A
\$ N/A
\$ 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
N/A
N/A
N/A

Relationship
N/A
N/A
N/A

Age
N/A
N/A
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, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ N/A	\$ N/A
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ N/A	\$ N/A
Home maintenance (repairs and upkeep)	\$ N/A	\$ N/A
Food	\$ 685	\$ N/A
Clothing	\$ N/A	\$ N/A
Laundry and dry-cleaning	\$ 250	\$ N/A
Medical and dental expenses	\$ N/A	\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ N/A	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 63.64	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ N/A	\$ N/A
Life	\$ 64	\$ N/A
Health	\$ N/A	\$ N/A
Motor Vehicle	\$ N/A	\$ N/A
Other: _____	\$ N/A	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ N/A	\$ N/A
Installment payments		
Motor Vehicle	\$ N/A	\$ N/A
Credit card(s)	\$ 29	\$ N/A
Department store(s)	\$ N/A	\$ N/A
Other: _____	\$ N/A	\$ N/A
Alimony, maintenance, and support paid to others		
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ N/A	\$ N/A
Other (specify): _____	\$ N/A	\$ N/A
<b>Total monthly expenses:</b>	\$ 1091.64	\$ 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?

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? \_\_\_\_\_

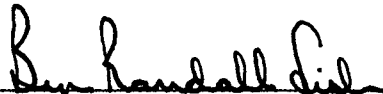
If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

N/A

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

Executed on: April 12, 2023

  
\_\_\_\_\_  
(Signature)