

22-7411

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

APR 24 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

PASTOR MARIO L. SIMS

— PETITIONER

(Your Name)

VS.

PETE BUTTIGIEG ET AL.,

— 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):

MARIO L. SIMS, V. ROBERT L. WILKIE, UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

No. 19-4356 SECRETARY OF VETERANS AFFAIRS, APPELLEE. Before ALLEN, Judge.

☐ 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: _____
See 38 U.S.C. §§ 7252(a), 7266(a). _____, or

☐ a copy of the order of appointment is appended.

(Signature)

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

I, Pastor Mario L. Sims, 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	I receive no pay for being Senior Pastor	\$ 0	\$ 0	just started a job
Self-employment	\$ 0	\$ 0	\$ 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)	\$ 1,009.00	\$ 0	\$ 1,009.00	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify):	\$ 0	\$ 0	\$ 0	\$ 0
Total monthly income:	\$ 1009.00	\$ 0	\$ 0	\$ 0

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
Doulos Chapel I am unpaid as Pastor	608 S. St. Joseph St. South Bend, IN 46601	May 2013-present	I receive no pay and live off of \$ <u>Social Security</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
none			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ maybe \$75.00
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
Checking	\$ <u>14.00</u>	\$ <u>\$60.00</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 185,000

☐ Other real estate
Value _____

☒ Motor Vehicle #1
Year, make & model 2003 Ford F150
Value \$3500.

☒ Motor Vehicle #2
Year, make & model 2010 Suzuki Gran Vatora
Value \$6,000

☒ Other assets
Description household items
Value \$4,000

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		

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)	\$ 0	\$ 0
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)	\$ 275.00	\$ included
Home maintenance (repairs and upkeep)	\$ 75.00	\$ included
Food	\$ 250.00	\$ included
Clothing	\$ 0	\$ included
Laundry and dry-cleaning	\$ 25.00	\$ included
Medical and dental expenses	covered by VA	\$ included

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? a contingent fee

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

Attorney Johnny W. Ulmer, P.O. Box 866, Bristol, Indiana
574-622-0037

jake2737@gmail.com

note: Attorney Ulmer and two other attorneys Tom Godfrey and Richard Bryant represented me in this case until the Responder law enforcement filed disciplinary complaints against all three thereby preventing them from appearing here

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:

not applicable

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

Attorney Johnny Ulmer, Attorney Tom Godfrey and Attorney Richard Bryant are my attorneys of record who have been representing me from the filing of this case on a contingency basis and have funded this suit. Attorney Ulmer filed for admission to the Supreme Court Bar two weeks ago but was told he could not appear until the complaint filed by the Respondent law enforcement officer was resolved.

I have attached a copy of Attorney Ulmer's response to the disciplinary commission on the frivolous complaint.

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

Executed on: April 24, 2023

(Signature)