

ORIGINAL

No. 22-7556

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

R.J. Kulick

FILED
APR 21 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

— PETITIONER
(Your Name)

VS.
Patrick Soon Shiong, 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):

Supreme Court of U.S., Case#18-6383

Supreme Court of U.S., Case#21-6216

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.


(Signature)

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

I, R. J. Kulick, 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>N/A</u>	\$ _____	\$ _____	\$ _____
Self-employment	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Interest and dividends	est. \$ 19.00-less \$ _____		\$ _____	\$ _____
Gifts	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Alimony	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Child Support	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>1,735*</u>	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ _____	\$ _____	\$ _____
Other (specify): <u>VA Compensation</u>	\$ <u>4,292.97*</u>	\$ _____	\$ _____	\$ _____

Total monthly income: \$ see* \$ _____ \$ _____ \$ _____

*Currently in Chapter 13 bankruptcy, income source less than above,
awaiting court approval, ~~monthly~~ payments, 5 yr. period.

MONTHLY

W

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
Retire 1985			\$
			\$
			\$

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
			\$
			\$
			\$

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
	\$	\$
	\$	\$
	\$	\$

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

Home
Value _____

Other real estate
Value _____

Motor Vehicle #1
Year, make & model _____
Value _____

Motor Vehicle #2
Year, make & model _____
Value _____

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	Amount owed to you	Amount owed to your spouse
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
_____	_____	_____
_____	_____	_____
_____	_____	_____

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
(include lot rented for mobile home)

Are real estate taxes included? Yes No
Is property insurance included? Yes No

You

\$ _____

Your spouse

\$ _____

Utilities (electricity, heating fuel,
water, sewer, and telephone)

\$ _____ \$ _____

Home maintenance (repairs and upkeep)

\$ _____ \$ _____

Food

\$ _____ \$ _____

Clothing

\$ _____ \$ _____

Laundry and dry-cleaning

\$ _____ \$ _____

Medical and dental expenses

\$ _____ \$ _____

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

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. only in cost of living payments from Social Security/VA Compensation annually & unable at this time to ascertain if/when "any major changes"

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 It's impossible now or moving forward to hire any party in above, do not have the financial funds, only Pro Per status
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. Currently, have in excess of a minimum of \$1.9M or more in a combination for all litigation(s) costs related to all outstanding liabilities that greatly eclipses my current assets: See, interrelated Case#s: U.S. Supreme#s: 18-6743/18-6383/18-6907/21-6216, & USDC, Central, CA #05548, & SC of CA, County of Ventura, Case#CIV 197917 (which grew legs (Cont'd: attachment)

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

Executed on: 1-5-22, 2022



(Signature)

(Cont'd attachment): *page #1*

from 2001 into the foregoing named interrelated court case#s);

See, Exhibit A, copy of 1st page of pending USDC, Central, CA,

Complaint, to put to rest, before this Petitioner goes to his grave under the grace of GOD. Petitioner is permanently,

physically disabled person under Americans With Disabilities

Act of 1990 & suffer from side-effects from their Rxs & has

chronic/severe Dyslexia condition. Which are medical hardships

for him to do anything or go anywhere for anything, & to do

forma pauperis at this time or anytime-not just complexing

but ambiguous to this Petitioner. Also, being elderly & con-

fined to home because of COVID-19 (had 2 shots & booster) &

no quality of life from "medical hardships", need a 24/7 care-giver which can not financially afford (tried in 1999 to get

longterm insurance coverage but was turned down because used

a cane) & now have to use an electric scooter, wheelchair,

walker with a seat & that cane for whatever mobility needed.

Petitioner suffers from spinal stenosis, sleep apnea-need

CPAP machine to breathe a life-threatening situation-weakens heart muscle-extremely painful death process, abnormal

thyroid/kidney conditions & high blood pressure-candidate

for a stroke & paralegia, prostrate, abdominal pain, acute

renal failure, chest pain (now EKG shows a Bifascicular Block- at risk of worsening condition of sudden Cardiac death &

recall of CPAP machine-inhaling life-threatening-particals

breakdowns from inside that machine-see Exhibit B-which subsequently had root canal & tooth extraction done), hypokalemia, atherosclerosis of aorta, hematuria, migraine,

(Cont'd attachment)

(Cont'd attachment): *page #2*

2 urinary track infection & more, foregoing in Kaiser Active
3 Problem History-also including constipation, malaise & fatigue
4 -chronic/severe, that Petitioner have to endure to deal with
5 any life activities which most certainly includes this forma
6 pauperis Motion for leave to proceed in for a writ of certior-
7 ari without prepayment of costs. Petitioner's wife of 53+
8 relationship died from Leukemia in home hospice 5 yrs. ago,
9 she was a Holocaust survivor, she was Petitioner's whole life,
10 she made Petitioner's whole life (he was reborn because of her)
11 & now Petitioner all alone & not a day goes by that he does
12 not think about her & the tremendous impact she made in his
13 life, it's an unending daily sadness (extreme). Because Peti-
14 tioner's good name & his family's good name has been unjustly
15 damaged by past/current BOD of the Leisure Village Associati-
16 on, Inc., et al, this Petitioner is duty/honor bound to re-
17 dress in appropriate legal actions under our Constitution &
18 Bill of Rights & its parent the Declaration of Independence,
19 under the Rule of Law, which those that died/injured for
20 must not have been in VAIN!!! If, this forma pauperis is den-
21 ied then Petitioner request that he be permitted to use
22 "paper format" not "booklet format" due to all the above
23 prevailing/mitigating circumstance(s) of factual signifigan-
24 ce, moving forward. To be forced to have to use Cockle,
25 Legal Briefs, unable to afford-financially too costly, esp-
26 ecially at this time for Petitioner, which is not discrimin-
27 atory when open to other(s) as well. All, courts & this
28 Court, have discretion to do something-foregoing is now

(Cont'd attachment)

(Cond't attachment): *page #3*

2 requested for this "discretion". This Court's consideration in
3 the foregoing, supplies chain delays from COVID-19/Delta/
4 Omicron-factors & that Petitioner has no computer or Smartpho-
5 ne, & how, Patrick Soon Shiong, et al, is interrelated, will
6 be addressed/redressed in Petitioner's writ of certiorari-
7 petition. Please excuse typo errors-due to Dyslexia condition.
8 Petitioner has faced death many times & does not fear death,
9 just how he dies, especially in prolonged painful death, like
10 COVID-19, etc. Petitioner is no Saint, he makes mistakes in
11 good conscience but if possible will not pay for the mistakes
12 of other(s), he pays for his "mistakes"!!! Petitioner's en-
13 tire value(s) system based on Judeo-Christain/Constitution/
14 Bill of Rights/Declaration of Independence-under God & under
15 the Rule of Law for the common good of humankind's existence
16 & well being!!! This Court is at the cross-roads of history-
17 where one must have trust, faith & confidence in its judicial
18 processes-are not comprised in any shape or form, if our
19 nation under God will survive as the original intent of our
20 founders gave us as citizens, whether that "intent" other-
21 wise-still does not alter our "founders" Rx(s) for a well
22 ordered society to live-in. An injustice against one is an
23 injustice against all, that's the duty/honor this Court must
24 provide, or our law(s) are just mere words on paper, that
25 must have enforcement to prevail!!! To deny this Petitioner
26 due process for a court hearing via forma pauperis in the
27 above, would be contrary to the "intent" or "otherwise of
28 our "founders"!!! However, to permit "paper format" not

(Cont'd attachment)

(Cond't attachment): *page #4*

1 "booklet format", as the "discretion" of this Court/Chief
2 Justice, Roberts JR & Associate Justices, would be in keep-
3 ing of our founders' "original intent" or "otherwise" for
4 the same end in the best interests of justice for party(s) of
5 concern-moving forward!!! As Administrator of the court, Chief
6 Justice, Roberts JR. along with Clerk of the Court, Scott S.
7 Harris/Case Analyst, Lisa Nesbitt-have authority to exercise
8 the "discretion" requested by this Petitioner!!! In requesti-
9 ng "forma pauperis"/"paper format"!!! Petitioner is resigned
10 to be a homeless person if/when his real estate property lost,
11 from these "interrelated litigation(s)", that reality has no
12 other alternative to face-& he's unable to spit on his herit-
13 age!!! Petitioner never finished his schooling-Dyslexia
14 condition & went to work at age 13, while still trying to
15 engage in the schooling processes-that Dyslexia was discover-
16 ed about 7 yrs. ago. Petitioner looks to U.S. Supreme Court
17 as his definitive resolution either way to put to rest any
18 particular litigation-engaged in. There can be no judicial
19 processes under the Rule of law, when this Court or any court
20 has rules that on its face are Unconstitutional when Petitio-
21 ner in Pro Per (undisputable disadvantage-that expects the
22 same degree of legality of an attorney at law's expertise) &
23 an elderly (most senior, especially person) & disabled under
24 ADA of 1990, which this Petitioner is all of the foregoing
25 prevailing/mitigating circumstance(s)-IS!!! The "N/A" desig-
26 nated in this forma pauperis-are-justifiable & to deny-does
27 dishonor to the founder's"original intent" or "otherwise"-why
28 the U.S.A. is unique in all the history of humankind, which
dreams can become reality(s), no matter what other country
one comes from to our shores, etc.!!!

(CONT'D ATTACHMENT)

2 See Exhibit C, copy enclosed Petitioner's Kaiser, After Visit
3 Summary dated 11-18-21, Urgent Care, please note: the reason
4 for "leaving", if further lab & investigative test confirmed
5 add'l hospitalization, subjects Petitioner to an uncertain
6 hospital exposure to COVID-19 infection & that Kaiser informed
7 prior that Petitioner's Sleep Apnea, CPAP machine could be
8 stolen & their "machine" may not be available, when in their
9 hospital. Exhibits B & C, especially "C" has damaged Petition-
10 er's abilities in a lot of areas in the mind (potention-
11 ally or not) in dealing ~~not staying~~ w-on top of the 9th Cir.'s
12 "automatic dismissal date & Petitioner's using Form 14. Mot-
13 ion for Extension of Time—"new date 10-7-21"—greatly affec-
14 tive "damaged abilities-mind", which 9th Cir. denied Petition-
15 er's "due process", the crux in all of the above factual,
16 prevailing & mitigating circumstance(s)!!!
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**Additional material
from this filing is
available in the
Clerk's Office.**