

No. 22-7813

IN THE  
SUPREME COURT OF THE UNITED STATES

Toby Ray A. McKenzie — PETITIONER  
(Your Name)

VS.

Kentucky Commission on Human Rights — 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):

Kentucky Court of Appeals, Johnson Circuit Court, Kentucky Supreme Court

Side note: Despite me being unable to pay court cost I was forced to pay court costs by Judge Preston in the amount \$185.00 after he refused to remove himself from the case from a motion filed by me therefore forcing me to return my daughters school clothes to cover cost and having DCFS called on me by the Judge or Landlord for neglect.

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

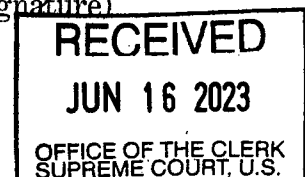
☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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, Toby Ray A. McKenzie, 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	\$ _____	\$ _____	\$ _____	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>734.00</u>	\$ _____	\$ <u>734.00</u>	\$ _____
Disability (such as social security, insurance payments)	\$ <u>200.00</u>	\$ _____	\$ <u>200.00</u>	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): <u>Food Stamps</u>	\$ <u>296.00</u>	\$ _____	\$ <u>296.00</u>	\$ _____
<b>Total monthly income:</b>	\$ <u>1,230.00</u>	\$ _____	\$ <u>1,230.00</u>	\$ _____

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
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

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? \$ Divorced  
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
Checkin	\$ 25.00	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

☐ Home  
Value \_\_\_\_\_

☐ Other real estate  
Value \_\_\_\_\_

☐ Motor Vehicle #1  
Year, make & model 2007 Dodge  
Value 1,500

☐ 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
A.N.L.M.	Daughter	12
Savannah McCarty	Daughter	24
_____	_____	_____

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)	\$ <u>128.00</u>	\$ _____
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)	\$ <u>145.00</u>	\$ _____
Home maintenance (repairs and upkeep)	\$ _____	\$ _____
Food	\$ <u>150.00</u>	\$ _____
Clothing	\$ <u>50.00</u>	\$ _____
Laundry and dry-cleaning	\$ <u>40.00</u>	\$ _____
Medical and dental expenses	\$ _____	\$ _____

	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ <u>70.00</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>76.00</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>18.00</u>	\$ _____
Life	\$ <u>80.00</u>	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ <u>83.00</u>	\$ _____
Other: <u>phone</u>	\$ <u>66.00</u>	\$ _____
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	\$ <u>10-30 for Savannah</u>	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ _____
Other (specify): <u>Legal, supplies fees every other month or so related to this case</u>	\$ <u>70.00</u>	\$ _____
(Mail, ink, research, ect since 2017)		
<b>Total monthly expenses:</b>	\$ <u>1,006.00</u>	\$ <u>0</u>

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

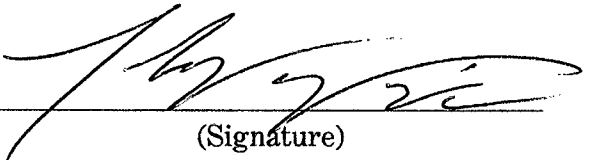
If yes, how much? \_\_\_\_\_

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. I have been fighting for my Civil/Fair housing Rights since 2017 while the agencies that are supposed to protect those rights looked the other way and during that time, I have suffered loss in the form of property damage from Woda and their false witnesses, court costs, moving, rental application fees, certified mail, cost of ink and paper while trying to maintain my regular bills. Since being forced out by Woda Cooper Companies in retaliation for my complaints of discrimination my cost of rent has gone up as I lost my Section 8/HUD along with the increase of the cost of electricity and coin laundry now in a high crime neighborhood. While I took some not all of the property damage to court Judge Chafins kept delaying court because Woda refused to show. When Woda finally appeared, I had to pick up my daughter from school due to the time being close 1500 and me being a single dad with no support system, so he dismissed the case instead of continuing it for me. All this is in a effort to get my HUD/Section 8 voucher back so I can find a safer place to live..

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

Executed on: June 13, 2023

  
(Signature)