

22-7819

No. 22A62

ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

SEP 23 2022

OFFICE OF THE CLERK

Javier Bautista-Scheuber — PETITIONER
(Your Name)
VS.

Alia Day Floren
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):

- Montana 4th District Court.

- Montana Supreme Court.

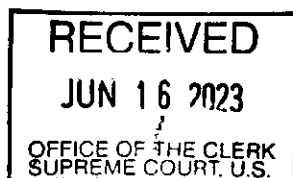
Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ 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:
a copy of the order of appointment is appended.

JB
Javier Bautista
(Signature)



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

I, _____, 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 expected the past 12 months		Amount next month	
	You	Spouse	You	Spouse
Employment	_____	_____	_____	_____
	_____	\$ _____	\$ _____	\$ _____
	_____	\$ _____	\$ _____	\$ _____
	\$0	N/A	\$0	N/A
(such as rental income)				Self-
Interest and dividends	\$ 0	N/A	\$0	NA
employment	\$0			
Income from real property	\$0	_____	_____	_____
	_____	\$ _____	\$ _____	\$ _____
Gifts	\$0	_____	\$ _____	\$ _____
	_____	\$ _____	\$ _____	\$ _____
Alimony	\$0	_____	\$ _____	\$ _____
	_____	\$ _____	\$ _____	\$ _____
Child Support	\$0	_____	\$ _____	\$ _____
	_____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$0			
Disability (such as social security, insurance payments)	\$0	\$ _____	\$ _____	\$ _____
	_____	_____	_____	_____
Unemployment payments	\$0	\$ _____	\$ _____	\$ _____
	_____	_____	_____	_____
Public-assistance	\$190	\$ _____	\$ _____	\$ _____

(such as welfare)
 Other (specify): _____ \$ _____ \$ _____ \$ _____ \$ _____

Total monthly income: \$190 _____ \$190 _____
 _____ \$N/A _____ \$N/A _____

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

N/A

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.)

N/A

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) has	Amount you have	Amount your spouse has
CHECKING	\$2500	
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

	You \$1500	Your spouse
Transportation (not including motor vehicle payments)	\$300	\$
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:	\$1960	\$
	\$ _____	\$ _____

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 X

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 X

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 X

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

Executed on: _____ June 8th, 2023

JB

(Signature)