

MARIJAN CVJETICANIN

65-84 Austin Street, Apt. 5U, Rego Park, New York 11374

January 6, 2024

Office of the Clerk
Supreme Court of the
United States of America
Washington, DC 20543-0001
Attn: Mr. Jeffrey Atkins

RE: Marijan Cvjeticanin v. United States
Case No. 22-7860

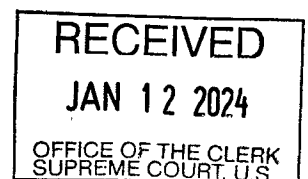
**MOTION FOR RECONSIDERATION
OF ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS**

Dear Mr. Atkins:

This is in response to your letter dated December 6, 2023. Enclosed please find my Motion for Reconsideration of the Court's Order Denying leave to proceed in forma pauperis with an updated financial Affidavit and additional financial documents.

In reevaluating my Motion and Affidavit, I would like to bring to your attention the following:


- 1) In addition to obvious humiliation, as a result of the lower court's judgment which is challenged herein (as I am a former New York attorney now working as a truck driver), both mine and my spouse's monthly income is subject to significant fluctuations. I am paid per delivery (per miles) and my spouse's salary is basically sales commission driven. Both are unreliable, seasonal and subject to unpredictable and significant fluctuations;
- 2) To add insult to the injury, a lower court's mandated restitution judgment in the amount of \$1.2 million coupled with the \$660,000 federal forfeiture judgment, both collaterally attacked before this Honorable Court, make any standard or even higher income levels irrelevant and marginal. These amounts plunge any



defendant, with exception of the few richest ones, into a total and complete poverty, well below any ability to pay for anything, thus fully satisfying this Court's in forma pauperis intention and criteria. Enclosed please find a copy of the U.S. District Court for the District of New Jersey monthly restitution account statement evidencing the above claim.

I once again thank you very much for your kind attention and understanding of the situation.

Very truly yours,



Marijan Cvjeticanin

No. 22-7860

IN THE
SUPREME COURT OF THE UNITED STATES

MARIJAN
CVJETICANIN — PETITIONER
(Your Name)

VS.

UNITED STATES — 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): ALL LOWER COURTS:

DISTRICT COURT, 3RD CIRCUIT COURT OF APPEALS

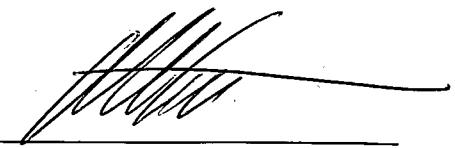
☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ 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, MARIJAN CVJETCANIN, 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>5,500</u>	\$ <u>2,100</u>	\$ <u>5,000</u>	\$ <u>2,100</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>20</u>	\$ <u>0</u>	\$ <u>20</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>300</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>5,500</u>	\$ <u>2,420</u>	\$ <u>0</u>	\$ <u>0</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
WESTERN EXPRESS	NASHVILLE, TN	10/01/2023	\$ 5,000
FDR SERVICES	HAMPSHIRE, NY	10/04/2021-2023	\$ 7,000
			\$

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
SALES FIFTH AVE	500 FIFTH AVE, NEW YORK	11/01/2016 - CURRENT	\$ 2,500
			\$
			\$

4. How much cash do you and your spouse have? \$ 1,900
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	\$ 300	\$ 540
SAVINGS	\$ 130	\$ 90
	\$	\$

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 NONE
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

NONE

Amount owed to you

\$ 0

\$ 0

\$ 0

Amount owed to your spouse

\$ 0

\$ 0

\$ 0

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

KRISTINA

DAUGHTER

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CVJETICANIN

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)

\$ 2,700

\$ 0

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

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

\$ 80

\$ 0

Home maintenance (repairs and upkeep)

\$ 0

\$ 0

Food

\$ 1,300

\$ 0

Clothing

\$ 200

\$ 0

Laundry and dry-cleaning

\$ 100

\$ 0

Medical and dental expenses

\$ 150

\$ 0

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>170</u>	\$ <u>80</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>0</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>0</u>
Life	\$ <u>110</u>	\$ <u>108</u>
Health	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Other: _____	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ <u>367</u>	\$ <u>0</u>
Credit card(s)	\$ <u>311</u>	\$ <u>1,470</u>
Department store(s)	\$ <u>0</u>	\$ <u>0</u>
Other: _____	\$ <u>0</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>350</u>	\$ <u>0</u>
Other (specify): _____	\$ _____	\$ _____
Total monthly expenses:	\$ <u>5,750</u>	\$ <u>1,724</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.

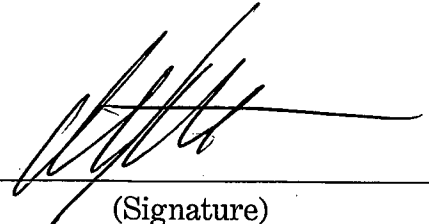
PLEASE SEE MY DETAILED LETTER ATTACHED –
RESTITUTION PAYMENT IN EXCESS OF
\$1.1. MILLION + OTHER FACTORS

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

Executed on: _____, 20

01/06

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(Signature)

U.S. DEPARTMENT OF JUSTICE

New Jersey
Federal Building, Room 701
970 Broad St.
Newark, NJ 07102

OVERDUE Debtor Statement

For inquiries regarding debt call: 973-297-2001

DATE OF STATEMENT	12/31/2023
ACCOUNT NUMBER	2018A22652/001

Retain top portion for your records. This is your official receipt. This statement reflects the balances for this debt only. You may have additional outstanding debt. Federal Statute requires that a payment application is applied to principal first then interest. (18 U.S.C. Section 3612 (i))

Marijan Cvjeticanin
65-84 Austin Street
Apt. 5U
Rego Park, NY 11374

Payment Application				Current Balance Information	
Payment Amount	\$280.00	Payment Date	11/21/2023		
Debt Type	Payment Amount to Principal	Payment Amount to Interest	Interest Rate	Principal Balance	Interest Balance
Non-Federal Restitution	-\$280.00	\$0.00	0%	\$1,227,106.36	\$0.00
Federal Restitution	\$0.00	\$0.00	0%	\$0.00	\$0.00
Fine	\$0.00	\$0.00	0%	\$0.00	\$0.00
Community Restitution	\$0.00	\$0.00	0%	\$0.00	\$0.00
Special Assessment	\$0.00	N/A	N/A	\$0.00	N/A
Criminal Court Costs	\$0.00	N/A	N/A	\$0.00	N/A
Penalty	\$0.00	N/A	N/A	\$0.00	N/A
AVAA Assessment	\$0.00	N/A	N/A	\$0.00	N/A
JVTA Assessment	\$0.00	N/A	N/A	\$0.00	N/A
Total Balance:				\$1,227,106.36	

Current Activity			
Overdue Amount	Next Payment Amount	PAY THIS AMOUNT	Date Payment Due
\$229.00	\$280.00	\$509.00	01/15/2024
If this is an interest-bearing debt, additional interest accrues daily. For payoff information, please call the telephone line listed above.			

MAKE YOUR PAYMENT PAYABLE TO CLERK, U.S. DISTRICT COURT. Include Court Number on your payment. DO NOT SEND CASH.

Payment Coupon: Enclose this coupon with payment to guarantee proper application in order for the payment to be applied before the next billing cycle.

Court Case Number:	14-274			
District Code: NJ	CCAM Number: DNJX314CR0002740 01	Amount Due: \$509.00	Due Date: 01/15/2024	Amount Enclosed:

☐ Check here for change of address and annotate below.

Marijan Cvjeticanin
65-84 Austin Street

Apt. 5U
Rego Park, NY 11374

Please mail payments to:

US District Court, Fisher Fed Building
402 East State Street
Trenton, NJ 08608