

IN THE
SUPREME COURT OF THE UNITED STATES

IN RE:

BETTY JANE AYERS and DAVID RUSSELL AYERS, pro se

Petitioners,

v

TRE HARGETT, MARK STEPHENS,
JONATHAN SKRMETTI, JANET KLEINFELTER,
DAVID KUSTOFF, JIM COOPER, STEVE COHEN, MARSHA BLACKBURN, and
BILL HAGERTY

Respondents,

MOTION TO FILE IN FORMA PAUPERIS

Come now Petitioners Ayers, per Rule 39, with motion to file in forma pauperis due to a personal event resulting in a severe reduction in income this year. This is the first time filing for this and we have not filed for this in any other court.

Petitioners ask this motion be granted for this reason.



BETTY JANE AYERS AND
DAVID RUSSELL AYERS,
162 Wade Lane Oak Ridge, TN 37830
865-243-5217
Petitioners, Pro Se

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

(Spouse)

I, Law and I, Betty, 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 (Betty)	Spouse (David)	You (Betty)	Spouse (David)
Employment	\$ _____	\$ _____	\$ _____	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ 240 to 380	\$ _____	\$ 260 to 380	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ 14,174	\$ _____	\$ 14,174
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ 260 to 380	\$ 14,174	\$ 260 to 380	\$ 14,174
Total monthly income:	\$ 260 to 380	\$ 14,174	\$ 260 to 380	\$ 14,174

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
①	_____	_____	\$ _____
	_____	_____	\$ _____
	_____	_____	\$ _____

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
②	_____	_____	\$ _____
	_____	_____	\$ _____
	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ 10 savings, na

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
Stock (joint account)	\$ <u>14,317.86</u>	\$ _____
Retn Stock Account	\$ <u>33,969.50</u>	\$ <u>37,951</u>
Retn Bank Account	\$ <u>100</u>	\$ <u>180</u>

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

Home ~~House~~ 4 82 acres
Value ③ \$ 586,465

Other real estate ~~Quarry~~ 40 ac + Bldg
Value 6382,080

Motor Vehicle #1
Year, make & model 2014 Acura RDX
Value ② \$ 6,000

Motor Vehicle #3
~~2006~~ 2001 SportTrac Truck
Value ③ \$ 1,500

Other assets
Description _____
Value _____

Motor Vehicle #2
Year, make & model 2016 Honda Odyssey
Value ③ 16,000 (rebuilt)

Motor vehicle #4 1970 Chevy C10 Truck
Value ③ \$ 3,000

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
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
0	0	0

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)	\$ 1,716	\$ _____
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) <i>For WV House and Quadruplets™</i>	\$ 1,275.37	\$ _____
Home maintenance (repairs and upkeep)	\$ 425	\$ _____
Food	\$ 250	\$ 250
Clothing	\$ 50	\$ 50
Laundry and dry-cleaning <i>Maid Fees for short-term rentals</i>	\$ 150	\$ _____
Medical and dental expenses	\$ 60	\$ 200

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 155	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ 180	\$ 15
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 271.05	\$ _____
Life	\$ 2,124.46	\$ _____
Health	\$ 257	\$ 56
Motor Vehicle	\$ 217.03	\$ _____
Other: <u>Motor Vehicle Repairs</u>	\$ 304.16	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Orange County property tax 996.80</u> <u>tax license tags Tax 1,020.00</u> <u>Liberty County property tax for land \$49.49</u>	\$ 221.19	\$ _____
Installment payments		
Motor Vehicle	\$ _____	\$ _____
Credit card(s)	\$ 2,200	\$ _____
Department store(s)	\$ _____	\$ _____
Other: <u>late fees for loan buying legal fees</u>	\$ 1,040	\$ _____
\$ 1,944.36	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 327.25	\$ 120
Other (specify): <u>Storage unit, we don't currently</u> <u>have a horse staying in rented</u> <u>property while repairing it</u>	\$ 666	\$ _____
Total monthly expenses:	\$ 13,834.87	\$ 693

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? \$46/mo/plus tips @ \$10/month

If yes, state the attorney's name, address, and telephone number: Various attorneys on JustAnswer.com 800-240-1371

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? \$40,087.87

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

CockleLegal Briefs 2311 Douglas Street Omaha, NE 68102 800-225-6964
Real Carrier DC 1121 Arlington Blvd Washington DC 301-736-8251
FedEx Proshers in Washington DC, Charleston, WV, and Knoxville, TN 202-347-8730
305 7th St NW 414 Capitol St 16205 Kingsdale
4 1612 K St NW

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

Attached

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

Executed on: November 15, 2023

Dan K. Hayes
(Signature)

Bethany Myers
(Signature)

1.* explanation: This matter is on appeal, but we lost our main source of income of \$11,013.82 a month in February of 2023. This was to be our retirement income when David's disability pay ceases September this coming year. I have only put what our average monthly income has been since February of 2023, as that is what we get monthly, now.

8. Detailed statement of regular expenses for operation of rental business and upkeep of professional M.D. and R.N. licensures- for David, for if there is ever a cure for him and he could go back to work, and for me in case I have to go back to nursing:

Medical licensing fees: \$310 a year

Nursing license fee: \$100 a year

Continuing medical education for David \$530 a year

Continuing medical education for Betty \$340 a year

Real Estate Investing subscriptions \$2,862.96 a year

IRA Financial, manages both our Roth accounts -\$ 199 fee for each of us yearly, and \$100 every quarter for each of us. \$1,198 yearly and \$25 for each of us yearly for the LLC fees

Total is \$5,390.96 a year, \$449.25 a month

9. Yes, we expect more major changes to David's monthly income on his next birthday, September 9 of 2024, when all of his disability pay ceases.

12. We have used nearly all of our resources and paid the costs of our cases, plus the case now titled Clark v Garland, 23-59,(Betty's father) and the prior cases Betty filed which were used as basis to deny her father's case; Betty being the interested party in her father's case because of this. With the loss of almost half our income in February, and the further loss of most of the rest of it this coming September, we are unable to pay these costs now, and we have no way to repay the costs if we continue using credit to pay the high printing costs associated with having to print booklets, and to have to print filings repeatedly because of mistakes, and to keep paying filing fees. We would much appreciate your consideration in these matters.