

No. 23-5354

IN THE

SUPREME COURT OF THE UNITED STATES

D'Ann McCoy
(Your Name)

— PETITIONER

Supreme Court, U.S.
FILED

JUL 24 2023

OFFICE OF THE CLERK

VS.

Boureima Ouedraogo — 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):

Court of Common Pleas of Philadelphia County
First Judicial District of Pennsylvania

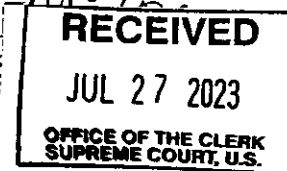
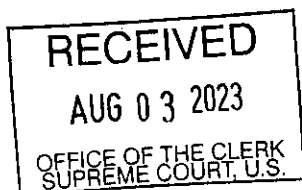
☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☐ 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.

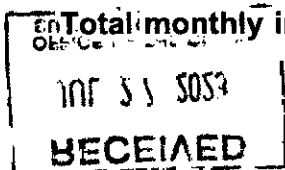


**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Diana McCay, 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>0</u>	\$ <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Self-employment	\$ <u>0</u>	\$ <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Interest and dividends	\$ <u>0</u>	\$ <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Gifts	\$ <u>0</u>	\$ <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Alimony	\$ <u>0</u>	\$ <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Child Support	\$ <u>91</u>	\$ <u>not applicable</u>	\$ <u>315.01</u>	\$ <u>not applicable</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Disability (such as social security, insurance payments)	\$ <u>1,554</u>	\$ <u>not applicable</u>	\$ <u>1,554</u>	\$ <u>not applicable</u>
Unemployment payments	\$ <u>0</u>	\$ <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Other (specify): <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Total monthly income:	\$ <u>1,645</u>	\$ <u>not applicable</u>	\$ <u>1,869.01</u>	\$ <u>not applicable</u>



2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.) *Not applicable*

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? \$ _____
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
<i>Savings</i>	\$ <i>30.00</i>	\$ <i>Not applicable</i>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

☐ Home
Value *Not applicable*

☐ Other real estate
Value *Not applicable*

☐ Motor Vehicle #1
Year, make & model *2004 Hyundai Santa Fe*
Value *400*

☐ Motor Vehicle #2
Year, make & model *Not applicable*
Value _____

☐ Other assets
Description *Not applicable*
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
<u>0</u>	\$ <u>0</u>	\$ <u>Not applicable</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
<u>JO</u>	<u>Son</u>	<u>11</u>
_____	_____	_____
_____	_____	_____

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>940.22</u>	\$ <u>Not applicable</u>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>600.00</u>	\$ <u>Not applicable</u>
Home maintenance (repairs and upkeep)	\$ <u>100.00</u>	\$ <u>Not applicable</u>
Food	\$ <u>200.00</u>	\$ <u>Not applicable</u>
Clothing	\$ <u>0</u>	\$ <u>Not applicable</u>
Laundry and dry-cleaning	\$ <u>150.00</u>	\$ <u>Not applicable</u>
Medical and dental expenses	\$ <u>100.00</u>	\$ <u>Not applicable</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>not applicable</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>not applicable</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>not applicable</u>
Life	\$ <u>0</u>	\$ <u>not applicable</u>
Health	\$ <u>175.00</u>	\$ <u>not applicable</u>
Motor Vehicle	\$ <u>125.00</u>	\$ <u>not applicable</u>
Other: <u>Not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>not applicable</u>
Credit card(s)	\$ <u>0</u>	\$ <u>not applicable</u>
Department store(s)	\$ <u>0</u>	\$ <u>not applicable</u>
Other: <u>not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>not applicable</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>not applicable</u>
Other (specify): <u>Not applicable</u>	\$ <u>0</u>	\$ <u>not applicable</u>
Total monthly expenses:	\$ <u>2,390.22</u>	\$ <u>not applicable</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 can not pay the cost of this case because I am on a fixed income and I do not have anyone to get me any assistance. My expenses are far more than I receiving in disability benefits, each month. child support payments are very sporadic and inconsistent. My bills are always backup and severely behind.

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

Executed on: 7/24/2023, 2023

William McCoy
(Signature)