

23-5625

No. 23-CIV-713

ORIGINAL

Docket No.
23-562

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
SEP 14 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Gale Davis — PETITIONER
(Your Name)

VS.

Chester James Walker Jr. 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):

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.

Gale Davis
(Signature)

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SUPREME COURT, U.S.

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

I, Gale Davis, 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 <i>not married</i>	You	Spouse
Employment	\$ <u>N/A</u>	\$ <u>none</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Gifts	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child Support	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>12,564⁰⁰</u>	\$ <u>N/A</u>	\$ <u>1,047⁰⁰</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>12,564⁰⁰</u>	\$ <u>N/A</u>	\$ <u>1,047⁰⁰</u>	\$ <u>N/A</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
<u>AAA</u>	<u>AAA</u>	<u>AAA</u>	\$ <u>AAA</u>
			\$ <u>AAA</u>
			\$ <u>AAA</u>

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
<u>AAA</u>	<u>AAA</u>	<u>AAA</u>	\$ <u>AAA</u>
			\$ <u>AAA</u>
			\$ <u>AAA</u>

4. How much cash do you and your spouse have? \$ AAA
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
<u>AAA</u>	\$ <u>AAA</u>	\$ <u>AAA</u>
	\$ <u>AAA</u>	\$ <u>AAA</u>
	\$ <u>AAA</u>	\$ <u>AAA</u>

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

Home
Value AAA

Other real estate
Value AAA

Motor Vehicle #1
Year, make & model AAA
Value AAA

Motor Vehicle #2
Year, make & model AAA
Value AAA

Other assets
Description AAA
Value AAA

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>Wife</u>	\$ <u>1444</u>	\$ <u>1444</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>Latisha Walker</u>	<u>daughter</u>	<u>48 years old</u>
<u>Chester Fontaine Walker</u>	<u>son</u>	<u>42 years old</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>homelss</u> <u>\$ living with</u> <u>my daughter</u>	\$ <u>1444</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>75.00</u> monthly	\$ <u>1444</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>1444</u>
Food	\$ <u>300.00</u> monthly	\$ <u>1444</u>
Clothing	\$ <u>50.00</u> monthly	\$ <u>1444</u>
Laundry and dry-cleaning	\$ <u>40.00</u> monthly	\$ <u>1444</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>1444</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>22. ⁰⁰ monthly</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>N/A</u>	\$ <u>N/A</u>
Life	\$ <u>N/A</u>	\$ <u>N/A</u>
Health	\$ <u>empire</u> \$ <u>medicare</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>N/A</u>	\$ <u>N/A</u>
Other: _____	\$ <u>N/A</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>N/A</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>N/A</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>N/A</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>N/A</u>	\$ <u>N/A</u>
Other: _____	\$ <u>N/A</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>N/A</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>N/A</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>N/A</u>	\$ <u>N/A</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?

Petitioner has Disability Social Security Benefit but Social Security is using pension money for a disability payment. Social Security gave a letter in April 2023 that August 2023 for work that has not happened yet. Petitioner had half of pension money only ten years that was granted the year 2008 to last fifteen years in payment.

Signature: Yare Klein

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.

see 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? \$ 505.00

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

*Southern District New York Court
Clerk Attorneys for filing fee*

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.

Petitioner did file this case as a POOR PERSON RELIEF. Petitioner has only \$1,047.00 monthly and saved up \$3,000.00 out of it hoping that would bring petitioner a POOR PERSON RELIEF.

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

Executed on: September 14, 2023

Gale Davis

(Signature)