

23-5738

ORIGINAL

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
AUG 28 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

ANGELA CAO — PETITIONER
(Your Name)

VS.

BSI FINANCIAL SERVICES, INC., et al. 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.

Angela Cao
(Signature)

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, ANGELA CAO, 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>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Self-employment	\$ <u>600</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Gifts	\$ <u>900</u>	\$ <u>N/A</u>	\$ <u>500</u>	\$ <u>N/A</u>
Alimony	\$ <u>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Child Support	\$ <u>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>Ø</u>	\$ <u>N/A</u>	\$ <u>Ø</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>1,500</u>	\$ <u>—</u>	\$ <u>500</u>	\$ <u>—</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>SELF-EMPLOYED</u>		<u>2005 - 2018 present</u>	<u>\$ 600</u>
			<u>\$</u>
			<u>\$</u>
			<u>\$</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>N/A</u>			<u>\$</u>
			<u>\$</u>
			<u>\$</u>

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
<u>CHECKING - PERSONAL</u>	<u>\$ 72.38</u>	<u>\$</u>
<u>CHECKING - BUSINESS</u>	<u>\$ 555.45</u>	<u>\$ N/A</u>
	<u>\$</u>	<u>\$</u>

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

<input type="checkbox"/> Home Value <u>N/A</u>	<input type="checkbox"/> Other real estate Value <u>N/A</u>
<input type="checkbox"/> Motor Vehicle #1 Year, make & model <u>N/A</u> Value <u>0</u>	<input type="checkbox"/> Motor Vehicle #2 Year, make & model <u>N/A</u> Value <u>0</u>
<input type="checkbox"/> Other assets Description <u>N/A</u> Value <u>0</u>	

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>N/A</u>	\$ <u>0</u>	\$ <u>0</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>N/A</u>	<u>N/A</u>	<u>N/A</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>500</u>	\$ <u>N/A</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>400</u>	\$ _____
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ _____
Food	\$ <u>250.00</u>	\$ _____
Clothing	\$ _____	\$ _____
Laundry and dry-cleaning	\$ <u>10</u>	\$ _____
Medical and dental expenses	\$ <u>0</u>	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 25 -	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ Ø	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ Ø	\$ _____
Life	\$ Ø	\$ _____
Health	\$ Ø	\$ _____
Motor Vehicle	\$ Ø	\$ _____
Other: _____	\$ Ø	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ Ø	\$ _____
Installment payments		
Motor Vehicle	\$ Ø	\$ _____
Credit card(s)	\$ Ø	\$ _____
Department store(s)	\$ Ø	\$ _____
Other: _____	\$ Ø	\$ _____
Alimony, maintenance, and support paid to others	\$ Ø	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 10	\$ _____
Other (specify): _____	\$ Ø	\$ _____
Total monthly expenses:	\$ 735 -	\$ N/A

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? *38.000

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

1) TOM COLEMAN 9950 Westpark Dr. Suite 518 Houston, TX 77063 Tel. (218) 760-9458	2) Sanford L. Dow Nine Greenway Plaza Suite 500 Houston, TX 77046 Tel. (713) 526-5700	3) William Robertson 9800 Northwest Fwy Suite 314 Houston, TX 77092 Tel. (713) 263-9911	4) Robert Whitley 12621 Featherwood Dr Suite 282 Houston, TX 77034 Tel. (281) 741-9549
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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:

See attached

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

See attached

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

Executed on: August 20, 2023

Angela
(Signature)

No. _____

In the Supreme Court of the United States

ANGELA CAO

Petitioner,

v.

BSI FINANCIAL SERVICES, INCORPORATED et al.

Respondents.

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

Question 11: In addition to the attorneys, I have paid and/or will pay the foregoing CPA's, legal printers, court reporters and an expert witness for services in connection with this case which has amounted to approximately \$80,000.00.

CPA

1) HelikaZeta Group (713) 862-4383	3) Huy Pham 3123 Gannett St. Houston, Texas 77025 Tel: (832) 567-4491
2) David Nguyen 9950 Westpark Dr., Suite 522 Houston, Texas 77063 Tel: (713) 780-9620	

Expert Witness/ Title Landman

Tara Long
2708 Barronwood Dr.
Bryan, Texas 77807
Tel: (979) 422-3614

Legal Printing

Cockle Legal Services
2311 Douglas St.
Omaha, Nebraska 68102
Tel: (800) 225-6964

Question 12:

The costs and expenses of litigating this case has depleted all my saving, grievously affected my credit, reputation and career as an asset manager. Considering the nature of this case and the negative credit reports made by Respondents, I can no longer work as an asset manager. I am currently in transition and looking for other employment and business opportunities.

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

Executed on August 28, 2023.



Angela Cao
P.O. Box 130286
Houston, TX 77219
P. (281)733.1243
E. acao514@gmail.com