

23-5914

IN THE SUPREME COURT OF THE UNITED STATES

ORIGINAL

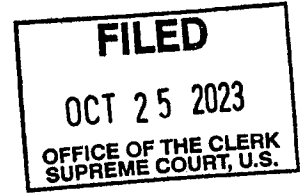
SAMUEL O.
ARAOYE,

PETITIONER,

vs.

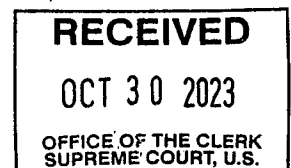
CITY OF PHILADELPHIA, et al

RESPONDENT.



MOTION TO PROCEED IN FORMA PAUPERIS

Pursuant to Title 28, United States Code, § 1915(a) and Rule 39 of this Court, Pro Se Petitioner-Applicant, Samuel O. Araoye, asks for leave to file the Petition for Writ of Certiorari to the 3rd Circuit Court of Appeals AND THE UNITED STATES SUPREME COURT without prepayment of fees or costs *in forma pauperis*. At a point, PAED DISTRICT COURT GRANTED THE PETITIONER AN IN FORMA PAUPERIS, BUT THE DISTRICT COURT DENIED SUBSEQUENT APPLICATION FOR IN FORMA PAUPERIS WHEN THE PETITIONER WAS ASKING *in forma pauperis* TO FILE AN APPEAL AT 3RD CIRCUIT U.S.C.A. and THE UNITED STATES SUPREME COURT. THE PETITIONER IS A US MILITARY VETERAN LIVING WITH SERVICE-CONNECTED DISABILITIES, WITH LIMITED INCOME, AND NOT WORKING DUE TO HIS US MILITARY SERVICE-CONNECTED DISABILITIES. WHILE HIS CURRENT OIL AND GAS ROYALTY INCOME IS SO LOW DUE TO MARKET FORCES (QUITE UNRELIABLE AND UNPREDICTABLE INCOME). PETITIONER IS A DIVORCED SINGLE FATHER OF 3 UNDERAGED CHILDREN (2 DAUGHTERS AND A SON). Petitioner is NOT represented by A LEARNED counsel; Petitioner is a Pro Se litigant.



HENCE, HE IS CURRENTLY STRUGGLING FINANCIALLY, AS HE HAS BEEN UNABLE TO MAKE PAYMENTS ON HIS MORTGAGE FOR AT LEAST 5 MONTHS IN THE CURRENT YEAR, 2023.

Therefore, it is requested that the Court grant leave to file the Petition for Writ of Certiorari without prepayment of fees or costs *in forma pauperis*.

I declare under penalty of perjury under the laws of the United States of American, the foregoing is true and correct.

Dated this 25th Day of September, 2023.

Respectfully Submitted,

Humbly Submitted,

/s/ SAMUEL O. ARAOYE, Pro Se Counsel to the Petitioner.

[@U.S. Military Veteran and Naturalized U.S. Citizen, Living With Service-Connected Disabilities, and as aggravated by Respondent's actions and inactions in this matter]

@Executive Committee Member of Susquehanna County and Elk Lake School District, PA.

I. 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	\$ 0	N/A	\$ 0	N/A
Self-Employment	\$ 0	N/A	\$ 0	N/A
Income from real property (such as rental income)	\$ 0	N/A	\$	N/A
Interest and Dividends	\$ 0	N/A	\$	N/A
Gifts	\$ 0	N/A	\$	N/A
Alimony	\$ 0	N/A	\$	N/A
Child Support	\$ 0	N/A	N/A	N/A
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	N/A	\$	N/A
Disability (such as social security, insurance payments)	\$ 3,000	N/A	\$ 3,857	N/A
Unemployment Payments	\$ 0	N/A	\$ 0	N/A
Public-Assistance (such as welfare)	\$ 0	N/A	\$ 0	N/A
Other (specify) commissary Fund	\$ 3,000	N/A	\$ 1,000	N/A
TOTAL MONTHLY INCOME:	\$ 6,000	N/A	\$ 4,857	N/A

2. List your 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
Not employed in the last 3 years due to US military service-connected disabilities		From N/A	\$ 0
		To N/A	
		From	\$ 0
		To	
		From	\$
		To	
		From	\$ 0
		To	

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
N/A	N/A	From N/A	N/A
		To N/A	
		From	\$
		To	
		From	\$
		To	
		From	\$
		To	

4. How much cash do you and your spouse have,? DIVORCED... \$ 10 | N/A

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount You Have	Amount Your Spouse Has
<u>Bank of America</u>	Checking	\$ 10	N/A
		\$	
		\$	\$
		\$	\$

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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

Home	Value	Other Real Estate	Value
1	\$ 250,000	N/A	\$ N/A

Motor Vehicle 1: Make & Year	Model	Registration #	Value
2006 Toyota 4runner	<u>4runner</u>	<u>LZJ</u> <u>9234</u>	\$7,000
Motor Vehicle 2: Make & Year	Model	Registration #	Value

Other Assets	Value
Intangible asset of Oil and gas royalty rights [highly volatile and unreliable and unpredictable due to very many market forces].	250,000
	\$

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse	Amount owed to you	Amount owed to your spouse
None, N/A	\$ 0	\$ N/A
	\$ 0	\$ N/A
		\$

7. State the persons who rely on you or your spouse for support. If a dependent is a minor, list only the initials and not the full name.

Name	Relationship	Age
D. E. A.	Daughter	9
G. J. A.	Son	11
Grace O. Araoye	Mother	70

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, semiannually, or annually to show the monthly rate.

	You	Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 1,031	N/A
Are real estate taxes included? <u>Yes</u>		
Is property insurance included? <u>Yes</u>		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 350	N/A
Home maintenance (repairs and upkeep)	\$ 500	N/A
Food	\$ 1500	N/A
Clothing	\$ 300	N/A
Laundry and dry-cleaning	\$ 150	\$ N/A
Medical and dental expenses	\$ 250	\$ N/A
		N/A
Transportation (riot including motor vehicle payments)	\$ 250	N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 250	N/A
Insurance (not deducted from wages or included in mortgage payments)		
- Homeowner's or renter's	\$	N/A
-Life	\$	N/A
- Health	\$	N/A
- Motor Vehicle	\$ 128	N/A
- Other	\$ 500	N/A
Taxes (not deducted from wages or included in mortgage payments)		

	You	Spouse
Installment payments		
- Motor Vehicle	\$ 440	N/A
- Credit Card (Bank of America, Credit one)	\$ 50	N/A
- Department Store (Wal-Mart)	\$ 200	N/A
Alimony, maintenance, and support paid to others	\$ 530	N/A
Regular expenses for the operation of business, profession, or farm (attach detailed statement)	\$ 500	\$ N/A
Other (specify)	\$ 0	N/A
TOTAL MONTHLY EXPENSES	\$ 6,879	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? No

If Yes, describe on an attached sheet.

10. Have you spent or will you be spending any money for expenses or attorney fees in connection with this lawsuit? Yes

If Yes, how much? \$7,000 spent already

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

I am a divorced single father of 3 underage children, and do not have any assets with any of my ex-wives. I have been unemployed due to US military service-connected disabilities since the year 2020, and I have been struggling financially since. I do not have the funds to pay legal fees. I do not have the funds to pay the filing fee nor the costs of printing for the petition to the Supreme Court. I request that the Court permit me to proceed in forma pauperis.

12. State the city and state of your legal residence.

City Springville

State PA

Your daytime phone number (ex., 415-355-8000) 570-767-2844

Your age 46

Your years of schooling: 16

United States Supreme Court

Form 4. Motion and Affidavit for Permission to Proceed in Forma Pauperis

3rd Cir. Case Number(s) 22-3199 _____.

Case Name | Araoye v. City of Philadelphia |

Affidavit in support of motion: I swear under penalty of perjury that I am financially unable to pay the docket and filing fees for my appeal. I believe my appeal has merit. I swear under penalty of perjury under United States laws that my answers on this form are true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Signature | /s/ Samuel O. Araoye 25th Day of September, 2023

The court may grant a motion to proceed in forma pauperis if you show that you cannot pay the filing fees **and** you have a non-frivolous legal issue on appeal. Please state your issues on appeal. (*attach additional pages if necessary*)

Where Respondent [City Government] and its individual policymaking authorities violate the Appellant's Constitutional rights under 14th Amendment per Title VII Civil Rights Act of 1964, 42 U.S.C. SECTIONS 1981 AND/OR 1983, in which the suspected officials intentionally altered the Appellant's employee records [AT HR OFFICE] against the provisions of the City's Civil Service Regulations [Policymaker and HR Manager confessed UNDER OATH to be the one that intentionally altered one of the Appellant-Plaintiff's records without ANY official justification WHATSOEVER], and the Respondent and individual policymaking authorities even used the intentionally altered records to deny the Appellant promotional opportunities twice within 6 months, and an independent Forensics Expert's Official Opinion [PAED Docket# 136-1] states that there is a strong indication of fraud on the Appellant-Plaintiff's employee records. Why should the Court ignore Forensics Expert's Official Opinion in its ruling?

1. This is of national importance regarding age-long racial discrimination matters, especially at Civil Service places of employment in America. **AND THAT APPROVED OVERTIME HOURS WORKED BY AN EMPLOYEE SHOULD BE PART OF EMPLOYEE'S WORK EXPERIENCE AND SHOULD BE CREDITED AS TIME COMPLETED FOR PROBATIONARY PERIOD.**
2. This would surely resolve conflicts among Federal Appellate Courts on who the policymaker is regarding litigations against government, government agencies, and/or government officials, per egregious civil rights violations, retaliations, as well as patterns and practice of racial discrimination, **ESPECIALLY SUCH DONE INTENTIONALLY AGAINST MILITARY VETERANS THAT SERVED THE NATION WITH HONORABLE DISCHARGE, LET ALONE THOSE LIVING WITH SERVICE-CONNECTED DISABILITIES LIKE THE PETITIONER.**
3. This would also correct the error of PAED District Court that completely ignored the Forensics Expert's Official Opinion in this matter.