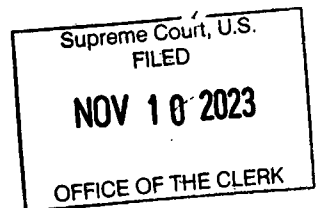


23-6090
No. 23-

ORIGINAL

**In The
Supreme Court of the United States**



IN RE KURT A. BENSHOOF,
A.R.W. BY AND THROUGH HIS FATHER,

Petitioners,

v.

CITY OF SEATTLE, DAVID S. KEENAN,
JESSICA R. OWEN,

Respondents.

**To the Honorable Justices
of the United States Supreme Court**

MOTION TO FILE *IN FORMA PAUPERIS*

Kurt A. Benshoof, *Pro Se*
1716 N 128th Street
Seattle, WA 98133
E-mail: kurtbenshoof@gmail.com
Telephone: (206) 460-4202

TO THE HONORABLE JUSTICES OF THE SUPREME COURT:

Pursuant to Rule 39 of the Rules of this Court, Petitioner Kurt Benshoof (“Petitioner”) respectfully moves this Court for leave to proceed *in forma pauperis*. While the *habeas corpus* fee is only \$5, the price of printing and shipping forty copies instead of ten copies is cost-prohibitive for Petitioner.

Attached is Petitioner’s Declaration in Support of Motion for Leave to Proceed *In Forma Pauperis*.

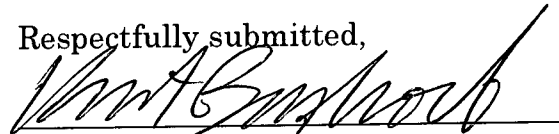
Petitioner was granted leave to proceed *in forma pauperis* on September 19, 2023, in U.S. District Court for the Western District of Washington, Case No. 2:23-cv-1392-JNW.

VERIFICATION

I, Kurt Benshoof, do hereby declare that the foregoing is true and correct to the best of my knowledge under penalty of perjury in the state of Washington. Executed this seventeenth day of November in the year 2023, in the city of Seattle, in the county of King, in the state of Washington.

Dated November 17, 2023.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kurt Benshoof', is written over a horizontal line.

Kurt Benshoof, *Pro Se*
1716 N 128th Street
Seattle, WA 98133
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**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Kurt A. Benshoof 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>—</u>	\$ <u>0</u>	\$ <u>—</u>
Self-employment	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Interest and dividends	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Gifts	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Alimony	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Child Support	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Unemployment payments	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</u>	\$ <u>—</u>
Total monthly income:	\$ <u>0</u>	\$ <u>—</u>	\$ <u>0</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
N/A	N/A	N/A	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

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	N/A	\$ N/A
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ 700
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
CHECKING	\$ 300	\$ N/A
SAVINGS	\$ 5	\$ N/A
_____	\$ _____	\$ _____

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	<input type="checkbox"/> Other real estate
Value _____	Value _____

<input checked="" type="checkbox"/> Motor Vehicle #1	<input type="checkbox"/> Motor Vehicle #2
Year, make & model <u>2011 TOYOTA FJ CRUISER</u>	Year, make & model _____
Value <u>\$ 25,000</u>	Value _____

☐ Other assets
Description _____
Value _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>300</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>0</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>0</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>75</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>1465</u>	\$ <u>N/A</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>N/A</u>	\$ <u>N/A</u>
<u> </u>	\$ <u> </u>	\$ <u> </u>
<u> </u>	\$ <u> </u>	\$ <u> </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>my N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>MY SON IS NOT CURRENTLY RELYING ON ME.</u>		
<u> </u>	<u> </u>	<u> </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>0</u>	\$ <u>N/A</u>
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)	\$ <u>380</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>N/A</u>
Food	\$ <u>700</u>	\$ <u>N/A</u>
Clothing	\$ <u>0</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>10</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>0</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?

☐ 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:

N/A

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

ALL OF MY TIME IS DEVOTED TO GETTING MY SON HOME, DEFENDING AGAINST CITY OF SEATTLE MALICIOUS PROSECUTIONS, AND MY FEDERAL LAWSUIT.

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

Executed on: NOVEMBER 17, 2023

Walt A. Genshoof
(Signature)