

NO _____

IN THE
SUPREME COURT OF THE UNITED STATES

RUTH ROYAL, Petitioner

vs.

WEST VIRGINIA DEPARTMENT OF HEALTH AND
HUMAN RESOURCES, CHILD PROTECTIVE SERVICES (CPS)

and

I. R., infant.


PETITION FOR WRIT OF CERTIORARI

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner Ruth Royal, by counsel, moves for leave to file the attached Petition for Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis*. She was granted leave to proceed *in forma pauperis* by The Supreme Court of Appeals of West Virginia in the underlying state matter. She has not applied for leave to proceed *in forma pauperis* in any other court.

Petitioner's Affidavit/Declaration in support of this Motion is attached.

RUTH ROYAL, Petitioner
By Counsel



Richard Allen Robb
P.O. Box 8747
South Charleston, WV 25303
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**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Ruth E Royal, 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>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Self-employment	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Interest and dividends	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Gifts	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Alimony	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Child Support	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Disability (such as social security, insurance payments)	\$ <u>2,229.00</u>	\$ <u>n/a</u>	\$ <u>2,229.00</u>	\$ <u>n/a</u>
Unemployment payments	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Other (specify): <u>ACP Program</u>	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
<u>Free Safelink mobile Phone</u>				
<u>Through VA Pension</u>				
Total monthly income:	\$ <u>2,229.00</u>	\$ <u>N/A</u>	\$ <u>2,229.00</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
Disabled & not work for			\$ approx. 15yrs

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? \$ _____
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
Invest Bank - checking	\$60.00	\$ 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 checked="" type="checkbox"/> Home - Mobile 2006 year	<input type="checkbox"/> Other real estate
Value maybe \$5,000.00	Value None

<input checked="" type="checkbox"/> Motor Vehicle #1	<input type="checkbox"/> Motor Vehicle #2
Year, make & model 2013 Toyota Highlander	Year, make & model None
Value 10,000.00	Value

☐ Other assets
Description None
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

None

Amount owed to you

\$ None

\$ _____

\$ _____

~~Amount owed to your spouse~~

\$ N/A

\$ _____

\$ _____

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

Elizabeth Royal

Daughter

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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)

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

Utilities (electricity, heating fuel,
water, sewer, and telephone)

Home maintenance (repairs and upkeep)

Food

Clothing

Laundry and dry-cleaning

Medical and dental expenses

Lot Rent

\$ 200.00

electric, water

winter 55.00

249.00 sewer

now 55.00

\$ 106.00

\$ 50.00

\$ 350.00

\$ 0.

\$ 0

\$ 0

\$ 0

\$ 0

\$ 0

\$ 0

\$ 0

\$ N/A

\$ N/A

\$ N/A

\$ N/A

\$ N/A

\$ N/A

\$ N/A

\$ N/A

\$ N/A

\$ N/A

\$ N/A

\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>\$150.00</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>100.00</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>40.00</u>	\$ <u>N/A</u>
Health	\$ <u>0</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>72.00</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Personal Property Tax</u>	\$ <u>14.00</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>273.00</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: ^{RER} N/A <u>Vehicle Maintenance</u>	\$ ^{RER} <u>42.00</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>Attorney Fees</u>	\$ <u>200.00</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ ^{RER} 1,709.58 <u>1,751.58</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? \$200 monthly since May 2020 – \$8,400.00

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

Richard A. Robb
PO Box 8747
So. Chas. WV 25303
304-744-8231

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?

N/A

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.

I owe in excess of \$40,000 for attorney fees & costs.

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

Executed on: November 16, 2023

Ruth L. Royal
(Signature)