

NO \_\_\_\_\_

IN THE

**SUPREME COURT OF THE UNITED STATES**

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**RUTH ROYAL, Petitioner**

vs.

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

and

**I. R., infant.**

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**PETITION FOR WRIT OF CERTIORARI**

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**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.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
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>				
<u>Total monthly income:</u>	\$ <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. 15 yrs

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
First 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.

Home - Mobile 2006 year  
 Value maybe \$5,000.00

Other real estate  
 Value None

Motor Vehicle #1  
 Year, make & model 2013 Toyota Highlander  
 Value 10,000.00

Motor Vehicle #2  
 Year, make & model None  
 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	Amount owed to you	Amount owed to your spouse
None	\$ None	\$ 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	46

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)	Lot Rent \$ 200.00	\$ N/A
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)	electric, water winter 55.00 249.00 sewer now 55.00 \$ 106.00 trash \$ 4.58 internet 40.00	\$ 14 / A
Home maintenance (repairs and upkeep)	\$ 50.00	\$ N/A
Food	\$ 350.00	\$ N/A
Clothing	\$ 0.	\$ N/A
Laundry and dry-cleaning	\$ 0	\$ N/A
Medical and dental expenses	\$ 0	\$ 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: <u>Vehicle Maintenance</u>	\$ <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>
<b>Total monthly expenses:</b>	<u>\$ 1,709.58</u> <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. Cinc. 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? 4/4

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

4/4

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)