

23-6819
Case No.

In The Supreme Court of the United States

In re: MARY ALICE NELSON ROGERS TRUST
Mary Alice Nelson-Rogers;

Petitioner,

v.

United States District Court For the Eastern District of California,
Sacramento

Respondent,

Supreme Court, U.S.
FILED

DEC 28 2023

OFFICE OF THE CLERK

On Petition for Writ of Mandamus to the United States
District Court For the Eastern District of California,
Sacramento

Case No. 2:21-cv-02151-JAM-KJR

Case No. 22-15469

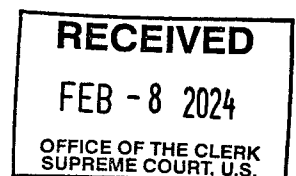
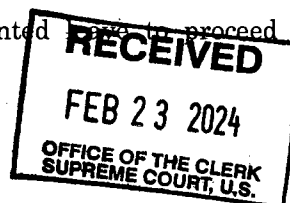
Honorable District Judge John A. Mendez

Honorable Kenneth J. Newman, Magistrate Judge

Motion for Leave to Proceed In Forma Pauperis

I, Mary Alice Nelson-Rogers, the Petitioner In Propria Persona, asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in forma pauperis.

The petitioner has previously been granted leave to proceed in forma pauperis in the




following courts:

United States District Court for the Eastern District of California, Case Number 2:19-cv-1564-TLN-CKD

As a retiree, Petitioner's financial status has not changed to this date.

Dated: January 23, 2023

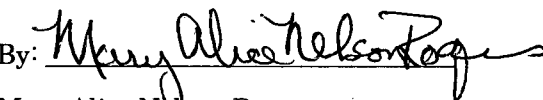
Respectfully submitted,

By: 
Mary Alice Nelson-Rogers, Petitioner

I, Mary Alice Nelson-Rogers, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state because of my liabilities versus my retirement wages, I am unable to pay the costs of this case or give security therefor; and I believe I am entitled to redress.

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

Executed on January 23, 2023

By: 
Mary Alice Nelson-Rogers

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

I, Mary Nelson-Rogers, 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>N/A</u>	\$ <u> </u>	\$ <u>N/A</u>	\$ <u> </u>
Self-employment	\$ <u>N/A</u>	\$ <u> </u>	\$ <u>N/A</u>	\$ <u> </u>
Income from real property (such as rental income)	\$ <u>21</u>	\$ <u> </u>	\$ <u>21</u>	\$ <u> </u>
Interest and dividends	\$ <u>21</u>	\$ <u> </u>	\$ <u>21</u>	\$ <u> </u>
Gifts	\$ <u>21</u>	\$ <u> </u>	\$ <u>21</u>	\$ <u> </u>
Alimony	\$ <u>21</u>	\$ <u> </u>	\$ <u>21</u>	\$ <u> </u>
Child Support	\$ <u>21</u>	\$ <u> </u>	\$ <u>21</u>	\$ <u> </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>3,200 4,350</u>	\$ <u> </u>	\$ <u>3,200 4,350</u>	\$ <u> </u>
Disability (such as social security, insurance payments)	\$ <u>—</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Unemployment payments	\$ <u>—</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Public-assistance (such as welfare)	\$ <u>—</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Other (specify): <u>N/A</u>	\$ <u>—</u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
Total monthly income:	\$ <u>3,200 4,350</u>	\$ <u> </u>	\$ <u>3,200 4,350</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
retired	NA	NA	\$ NA
			\$
			\$

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
NA	11	11	\$ 11
			\$
			\$

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
checking	\$ 125.00	\$ NA
savings	\$ 25.00	\$
	\$	\$

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 NA	Value NA

<input checked="" type="checkbox"/> Motor Vehicle #1	<input checked="" type="checkbox"/> Motor Vehicle #2
Year, make & model 2000 Volvo 570	Year, make & model 2004 Volvo 580
Value 2,300.00	Value 3,300.00

☐ Other assets
Description NA
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

N/A

\$ N/A
\$ _____
\$ _____

\$ 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
<u>Rin Roger</u>	<u>son</u>	<u>60</u>
<u>Harold Rogers</u>	<u>son</u>	<u>55</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.

Rent or home-mortgage payment (include lot rented for mobile home)

Are real estate taxes included? ☐ Yes ☐ No

Is property insurance included? ☐ Yes ☐ No

(January 17, 2024)
You
displaced
homeless
hotel 150 per day

est.

Your spouse

\$ 4,200 est.

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

u u

\$ N/A

Home maintenance (repairs and upkeep)

\$ N/A

Food

\$ 200

Clothing

\$ 0

Laundry and dry-cleaning

\$ 200

Medical and dental expenses

\$ 0

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 250	\$
Recreation, entertainment, newspapers, magazines, etc.	\$	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 146.66	\$
Life	\$	\$
Health	\$	\$
Motor Vehicle	\$ 194.95	\$
Other: N/A	\$	\$
Taxes (not deducted from wages or included in mortgage payments)		
(specify): Real Estate Property	\$ 785.00	\$
Installment payments		
Motor Vehicle	\$	\$
Credit card(s)	\$	\$
Department store(s) N/A	\$	\$
Other:	\$	\$
Alimony, maintenance, and support paid to others	\$	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$	\$
Other (specify): Real Estate P&E 785.00	\$ 5.075	\$
Total monthly expenses:	\$ 10,907.16	\$

Bills are still in my name

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:

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

I am homeless and have been physically removed from my home. My retirement/SS are ~~in~~ ^{in charge} of address.

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

Executed on: January 23, , 2024

Marylaine Nelson Boag
(Signature)