

23-6819  
Case No.

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

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

Petitioner,

v.

Supreme Court, U.S.  
FILED

DEC 28 2023

OFFICE OF THE CLERK

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

Respondent,

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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-KJN

Case No. 22-15469

Honorable District Judge John A Mendez  
Honorable Kenneth J. Newman, Magistrate Judge

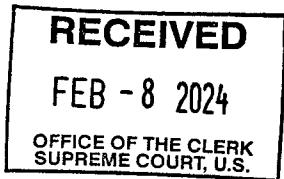
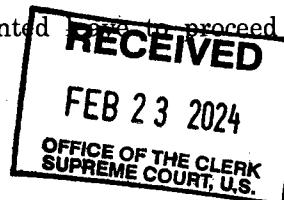
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**Motion for Leave to Proceed In Forma Pauperis**

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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  
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  
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.

<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>2/10</u>	\$ <u>1/10</u>	\$ <u>2/10</u>	\$ <u>1/10</u>
Self-employment	\$ <u>1/10</u>	\$ <u>1/10</u>	\$ <u>1/10</u>	\$ <u>1/10</u>
Income from real property (such as rental income)	\$ <u>21</u>	\$ <u>11</u>	\$ <u>21</u>	\$ <u>11</u>
Interest and dividends	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>
Gifts	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>
Alimony	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>
Child Support	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>4,350</u>	\$ <u>4,350</u>	\$ <u>4,350</u>	\$ <u>4,350</u>
Disability (such as social security, insurance payments)	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>
Unemployment payments	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>
Public-assistance (such as welfare)	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>
Other (specify): <u>1/10</u>	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>	\$ <u>1</u>
<b>Total monthly income:</b>	\$ <u>4,350</u>	\$ <u>4,350</u>	\$ <u>4,350</u>	\$ <u>4,350</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	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	II	II	\$ II
			\$
			\$
			\$

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	\$ 105.00	\$ N/A
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.

Home Value N/A

Other real estate Value N/A

Motor Vehicle #1  
 Year, make & model 2000 Volvo S70  
 Value 2,300.00

Motor Vehicle #2  
 Year, make & model 2004 Volvo S60  
 Value 3,300.00

Other assets  
 Description N/A  
 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
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</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>Kim 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.

	(January 17, 2024)	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	<u>displaced</u>	<u>est. \$4,200</u>	<u>\$</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	<u>hotel</u>	<u>150 per day</u>	
Utilities (electricity, heating fuel, water, sewer, and telephone)	<u>  </u>	<u>N/A</u>	<u>\$</u>
Home maintenance (repairs and upkeep)	<u>  </u>	<u>N/A</u>	<u>\$</u>
Food	<u>  </u>	<u>200</u>	<u>\$</u>
Clothing	<u>  </u>	<u>  </u>	<u>\$</u>
Laundry and dry-cleaning	<u>  </u>	<u>700</u>	<u>\$</u>
Medical and dental expenses	<u>  </u>	<u>  </u>	<u>\$</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 280	\$ _____
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	\$ 194.92	\$ 00
Other: <u>N/A</u>	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments) (specify): <u>Property</u>	\$ 65.00	\$ _____
Installment payments		
Motor Vehicle	\$ _____	\$ _____
Credit card(s)	\$ _____	\$ _____
Department store(s) <u>N/A</u>	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	MR \$ _____
Other (specify): <u>Spouse 285.00/90.00 5.075</u>	\$ _____	\$ _____
<b>Total monthly expenses:</b> <i>Bills are \$611 in 10,907.16 my name</i>	\$ 672.66	\$ _____

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 relatives/SS are ~~not~~ ~~not~~ in charge of address.

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

Executed on: January 23, 2024

Marylin Nelson Rodriguez  
(Signature)