

No. 23-6970 **ORIGINAL**

IN THE  
SUPREME COURT OF THE UNITED STATES

Kathy R. Allen; Jay K. Allen — PETITIONER(S)  
(Your Name)

VS.

L3Harris Technologies, Inc. — RESPONDENT(S)

Supreme Court, U.S.  
FILED

FEB 22 2024

OFFICE OF THE CLERK

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

☐ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):  
\_\_\_\_\_  
\_\_\_\_\_

☒ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: \_\_\_\_\_, or

☐ a copy of the order of appointment is appended.

Kathy R. Allen

(Signature)

**RECEIVED**

FEB 26 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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

I, Kathy R Allen, 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	\$_____	\$_____	\$_____	\$_____
Self-employment	\$ <u>1400.00</u>	\$_____	\$ <u>1000.00</u>	\$_____
Income from real property (such as rental income)	\$_____	\$_____	\$_____	\$_____
Interest and dividends	\$_____	\$_____	\$_____	\$_____
Gifts	\$_____	\$_____	\$_____	\$_____
Alimony	\$_____	\$_____	\$_____	\$_____
Child Support	\$_____	\$_____	\$_____	\$_____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>4083.00</u>	\$_____	\$ <u>4083.00</u>	\$_____
Disability (such as social security, insurance payments)	\$_____	\$_____	\$_____	\$_____
Unemployment payments	\$_____	\$_____	\$_____	\$_____
Public-assistance (such as welfare)	\$_____	\$_____	\$_____	\$_____
Other (specify): _____	\$_____	\$_____	\$_____	\$_____
<b>Total monthly income:</b>	\$ <u>5483.00</u>	\$_____	\$ <u>5083.00</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 Retired IT Specialist	Fed Gov't Washington DC	1979-2007	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

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
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

4. How much cash do you and your spouse have? \$ 5,000.00  
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	\$ 5000.00	\$ _____
SAVINGS	\$ 3250.00	\$ _____
_____	\$ _____	\$ _____

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

☒ Home  
Value 325,000.00

☐ Other real estate  
Value \_\_\_\_\_

☒ Motor Vehicle #1 FORD  
Year, make & model 2006 FUSION  
Value 4,500.00

☒ Motor Vehicle #2 MERCEDES BENZ  
Year, make & model 1988 300E  
Value 2,500.00

☐ Other assets  
Description \_\_\_\_\_  
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	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
N/A	_____	_____
_____	_____	_____
_____	_____	_____

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)	\$ 1341.00	\$ _____
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 365.25	\$ _____
Home maintenance (repairs and upkeep)	\$ _____	\$ _____
Food	\$ 150.00	\$ _____
Clothing	\$ 200.00	\$ _____
Laundry and dry-cleaning	\$ 20.00	\$ _____
Medical and dental expenses	\$ 165.53	\$ _____

	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ <u>40.00</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>50.00</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ _____	\$ _____
Life	\$ <u>169.27</u>	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ _____	\$ _____
Credit card(s)	\$ <u>70.00</u>	\$ _____
Department store(s)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0.00</u>	\$ _____
Other (specify): _____	\$ _____	\$ _____
<b>Total monthly expenses:</b>	<b>\$ <u>2571.05</u></b>	<b>\$ _____</b>

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? \$1107.53

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

John Kirby  
4801 Glenwood Ave Suite 200  
Raleigh, NC 27612  
919-861-9050

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? \$533.86

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

Wilson-Epes Printing Co., Inc.  
1115 H ST NE #101  
Washington, DC 20002  
(202) 789-0096 — office

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

Since o/a 2018 and into 2023 I have incurred approx \$20,000.00 of my personal funding soliciting GA and NC attorneys' services and paying fees for the NC Superior Court, NC Court of Appeals and NC Supreme Court certified mailings, postage, and court fees (approx \$1,500.00) not including amounts above for my mother's estate. I could not find a lawyer or pro bono for this US Supreme Court for ERISA life insurance policy writ, also paid my mother's monthly estate mortgage, and have exhausted my monetary resources.

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

Executed on: February 20, 20 24



(Signature)

No. 23-6970

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Please check the appropriate boxes:

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\_\_\_\_\_

☒ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: \_\_\_\_\_  
\_\_\_\_\_, or

☐ a copy of the order of appointment is appended.

\_\_\_\_\_  
(Signature)

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

I, Jay K. Allen, 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>0.00</u>	\$ _____	\$ <u>800.00</u>	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>1300.00</u>	\$ _____	\$ <u>800.00</u>	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
<b>Total monthly income:</b>	\$ <u>1300.00</u>	\$ _____	\$ <u>2100.00</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
Kingdom Transportation	1125 Corporaton Parkway Raleigh NC 27610	Jan 27, 2024-present	\$ 800.00
			\$
			\$

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			\$
			\$
			\$

4. How much cash do you and your spouse have? \$5,000.00  
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	\$ 50.00	\$
	\$	\$
	\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

☒ Home

Value Not home owner living in mother's estate home

☐ Other real estate

Value \_\_\_\_\_

☒ Motor Vehicle #1 CHEVROLET

Year, make & model 2003 SUBURBAN

Value 2,500.00

Motor Vehicle #2

Year, make & model \_\_\_\_\_

Value \_\_\_\_\_

☐ Other assets

Description \_\_\_\_\_

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	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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
N/A	_____	_____
_____	_____	_____
_____	_____	_____

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)	\$ 0.00	\$ _____
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)	\$ 1,000.00	\$ _____
Home maintenance (repairs and upkeep)	\$ _____	\$ _____
Food	\$ 100.00	\$ _____
Clothing	\$ 50.00	\$ _____
Laundry and dry-cleaning	\$ 20.00	\$ _____
Medical and dental expenses	\$ 20.00	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 40.00	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ 40.00	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 139.00	\$
Life	\$	\$
Health	\$ 150.00	\$
Motor Vehicle	\$ 130.00	\$
Other: _____	\$	\$
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$	\$
Installment payments		
Motor Vehicle	\$ 0.00	\$
Credit card(s)	\$ 0.00	\$
Department store(s)	\$	\$
Other: _____	\$	\$
Alimony, maintenance, and support paid to others	\$	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0.00	\$
Other (specify): _____	\$	\$
<b>Total monthly expenses:</b>	<b>\$ 1689.00</b>	\$

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? \_\_\_\_\_ Petitioner 1 paid \$1107.53 to attorney below. I have exhausted my monetary resources.

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

John Kirby  
4801 Glenwood Ave Suite 200  
Raleigh, NC 27612  
919-861-9050

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?

Petitioner 1 paid \$533.86 to the person below. I have exhausted my monetary resources

☐ Yes ☒ No

If yes, how much? \_\_\_\_\_

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

Wilson-Epes Printing Co., Inc.  
1115 H ST NE #101  
Washington, DC 20002  
(202) 789-0096 — office

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

I have paid approx \$500.00 for my mother's estate matters, but since o/a 2018 and into 2023 Petitioner 1 incurred approx \$20,000.00 of personal funds soliciting GA and NC attorneys' services and paying fees for the NC Superior Court, NC Court of Appeals and NC Supreme Court certified mailings, postage, and court fees (approx \$1,500.00) not including amounts above for our mother's estate, and could not find a lawyer or one to do this US Supreme Court writ pro bono Petitioner 1 also has paid our mother's monthly estate mortgage. I have exhausted my monetary resources.

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

Executed on: March 1, 2024

\_\_\_\_\_  
(Signature)