

No. 23-7137

FILED

JAN 24 2024

OFFICE OF THE CLERK
SUPREME COURT U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Diana Reismann Sexton — PETITIONER

Vs.

Gilbert John Sexton — RESPONDENTMOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks to 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):

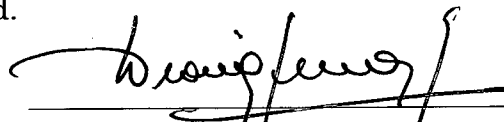
505th District Court, Honorable 14th Court of Appeals, The Honorable Texas Supreme Court

The 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)
03/26/2024

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

I, Diana Reismann Sexton, 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	\$22,000.- +/-	\$202,000.- +/-	\$ _____	\$16,833.- +/-
Self-employment	\$0.- _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$0.- _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$0.- _____	\$ _____	\$ _____	\$ _____
Gifts	\$50.- (birthday)	\$ _____	\$ _____	\$ _____
Alimony	\$715.- (\$400.- are for food I cook for my son for school)	\$ I do not know _____	\$ _____	\$ _____
Child Support	\$0.- I spent \$300.- in clothes, shoes and food. For my child.	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$0.- _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$0.- _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$645.-	\$ _____	\$0.- _____	\$ _____

Public-assistance (such as welfare)	\$0.- _____	\$ _____	\$ _____	\$ _____
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Other (specify): IRS refund	\$393.- _____	\$ _____	\$ _____	\$ _____
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Total monthly income:	\$ 1950.83. - +/-	\$202,000.- +/-	\$ _____	\$16,833.- +/-
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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
<u>KELSEY SEYBOLD</u>	<u>1006 Campbell Rd, Houston</u>	<u>06/19/23 -08/10/23</u>	<u>\$4,411.30.-</u>
<u>Greater Houston Eye Cons.</u>	<u>23530 Kingsland Blvd, Katy</u>	<u>03/31/23-5/26/23</u>	<u>\$3,929.50.-</u>
<u>University of Texas</u>	<u>6414 Fannin St., Houston</u>	<u>11/28/22-2/10/23</u>	<u>\$3,393.00.-</u>

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
<u>Chevron</u>	<u>1500 Louisiana St.</u>	<u>2012 to present</u>	\$ 202,000.- declared
<u></u>	<u></u>	<u></u>	\$ <u></u>
<u></u>	<u></u>	<u></u>	\$ <u></u>

4. How much cash do you and your spouse have? Myself \$0.03.- I don't know how much my spouse.____
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
Wells Fargo Checking account	\$ 27.88.-	\$ I do not know
Wells Fargo savings account	\$ 43.21.-	\$ I do not know
	\$	\$

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

D Home

Value \$599,300.- we both own it but
I do not live there; I sleep either in my car
or in a hotel.

Approximate value by Remax.

Other real estate

Value N/A

D Motor Vehicle #1

Year, make & model Honda CRV 2013

Value \$14,000.-_____

Approximate value by CarFax

► Motor Vehicle #2

Year, make & model Honda Fit 2012

Value \$9,091.- Approximate value by
Edmunds

D Other assets

Other assets
Description Honda Civic Sedan 2010 Approximate Cars.com Value \$7900.- owned
by mother in law _____

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
Wells Fargo Visa	\$6,906.85.- (limit \$7000.-)	\$ I do not know_____
Citibank Visa	\$5,976.86, -(limit \$4000.-)	\$_____
Laura Dale Attorney	\$32,000.-_____	\$_____

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
A.R.S.	son	16
_____	_____	_____
_____	_____	_____
_____	_____	_____

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)	\$ 141.-_____	\$ I do not know__
Are real estate taxes included? Yes <input checked="" type="checkbox"/> No	(storage unit)	
Is property insurance included? Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone) (For phone and internet for my son and me)	\$ 321.42.-_____	\$ I do Not know__
Home maintenance (repairs and upkeep) (I do not have a place to live).	\$ 0_____	\$ I do Not know__
Food	\$600.-_____	\$_____
Clothing (for my son)	\$200.-_____	\$_____
Laundry and dry-cleaning	\$100.-_____	\$_____
Medical and dental expenses (for my son)	\$100.-_____	\$_____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0 _____	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ 0 _____	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0 _____	\$ _____
Life	\$ 30.- _____	\$ _____
Health	\$ 0 _____	\$ _____
Motor Vehicle	\$ 150 (gas) _____	\$ _____
Other: _____	\$0.- _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): 2 0 2 3 r e f u n d	\$393.- _____	\$ _____
Installment payments		
Motor Vehicle	\$0.- _____	\$ _____
Credit card(s)	\$300.- _____	\$ _____
Department store(s)	\$0.- _____	\$ _____
Other: _____	\$0.- _____	\$ _____
Alimony, maintenance, and support paid to others	\$400.- I return in cooked food for my child this amount and clothes for him _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$0.- _____	\$ _____
Other (specify): optometry license in Argentina _____	\$100.- _____	\$ _____
Total monthly expenses:	\$2,342.- _____	\$I do not know__

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 ☐ for Judge Morgan recusal, but yes for the divorce and child custody case on her court.

If yes, how much? I consulted about 190 lawyers they want the money up front, and I don't have it. I Paid with my credit card attorney fees of \$3,000. - and they withdraw without making an appearance, I also paid lawyer's consultations from \$100 to \$500.- with my credit card.
The court paid interim fees to Laura Dale about \$8,000. – then, she withdrew. Any lawyer want to help without the money "up front"

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

Laura Dale 1800 Saint James Place #620 Houston, TX, 77056 713-600-1717

Nicolette Basilio 101 Texas Ave #440 Houston, TX, 77002 713-955-6000

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? _____

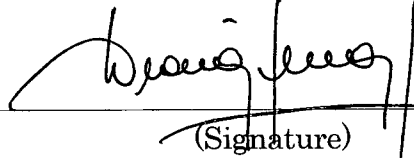
If yes, state the person's name, address, and telephone number:

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

My Husband is retaining my sole apportion of money, and joint community property, he does not want to give me my money so I can pay my debts, have a place to live (I am sleeping in my car), and pay a lawyer. He had five different attorneys who lied to the judges, and the judge lied as well. She is video recorded lying on facts of filling motions and translation. She abused her discretion to hear my motions and my witness while elapsing years of the case for the child turn 16 years old preventing to file in the Hague Court for retention by financial abuse and false promises. I am unemployed for now, looking for jobs.

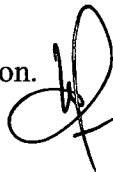
I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 26th _____, 2024


 (Signature)

Question 9. Attached sheet:

I applied to several jobs, and I expect to be hired soon.

A handwritten signature in black ink, consisting of a large, stylized 'P' or 'R' shape with a vertical line extending downwards from the center.