

ORIGINAL
23-7607

No. _____

In The
Supreme Court of the United States

*IN RE KURT A. BENSHOOF,
A.R.W. BY AND THROUGH HIS FATHER,*

Petitioners,

v.

CITY OF SEATTLE,
DAVID S. KEENAN, JESSICA R. OWEN,

Respondents.

On Petition for Writ of Habeas Corpus

**MOTION FOR LEAVE TO PROCEED
*IN FORMA PAUPERIS***

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TO THE HONORABLE JUSTICES OF THE SUPREME COURT:

Pursuant to Rule 39 of the Rules of this Court, Petitioner Kurt Benshoof (“Petitioner”) asks leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner was granted leave to proceed *in forma pauperis* on September 19, 2023, in U.S. District Court for the Western District of Washington, Case No. 2:23-cv-1392-JNW, and Petitioner’s financial wherewithal has not improved since then.

Petitioner’s Application and Declaration is attached hereto.

VERIFICATION

I, Kurt Benshoof, do hereby declare that the foregoing is true and correct to the best of my knowledge under penalty of perjury in the state of Washington and of the United States. Executed this twenty-fifth day of May in the year 2024, in the city of Seattle, in the county of King, in the state of Washington.

Dated: May 25, 2024.

Respectfully submitted,



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

I, KURT BENSHOFF, 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, semianually, 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	\$ 0	\$ n/a	\$ 0	\$ n/a
Self-employment	\$ 0	\$ _____	\$ 0	\$ _____
Income from real property (such as rental income)	\$ 0	\$ _____	\$ 0	\$ _____
Interest and dividends	\$ 0	\$ _____	\$ 0	\$ _____
Gifts	\$ 0	\$ _____	\$ 0	\$ _____
Alimony	\$ 0	\$ _____	\$ 0	\$ _____
Child Support	\$ 0	\$ _____	\$ 0	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ _____	\$ 0	\$ _____
Disability (such as social security, insurance payments)	\$ 0	\$ _____	\$ 0	\$ _____
Unemployment payments	\$ 0	\$ _____	\$ 0	\$ _____
Public-assistance (such as welfare)	\$ 0	\$ _____	\$ 0	\$ _____
Other (specify): _____	\$ 0	\$ _____	\$ 0	\$ _____
Total monthly income:	\$ 0	\$ _____	\$ 0	\$ _____

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>n/a</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>n/a</u>			\$
			\$
			\$

4. How much cash do you and your spouse have? \$ 4330
 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
<u>CHECKING</u>	\$ <u>28.42</u>	\$
<u>SAVINGS</u>	\$ <u>50.27</u>	\$ <u>N/A</u>
	\$	

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

Home n/a 
 Value _____

Other real estate
 Value _____

Motor Vehicle #1 2011 Toyota
 Year, make & model FJ Cruiser
 Value \$23,000

Motor Vehicle #2
 Year, make & model _____
 Value _____

Other assets
 Description Tools and home stereo
 Value \$10,000

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>CITY OF SEATTLE</u>	<u>\$ 15,000</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>n/a</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.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	<u>\$ 0</u>	<u>\$ n/a</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		
Utilities (electricity, heating fuel, water, sewer, and telephone)	<u>\$ 440</u>	<u>\$ _____</u>
Home maintenance (repairs and upkeep)	<u>\$ 0</u>	<u>\$ _____</u>
Food	<u>\$ 900</u>	<u>\$ _____</u>
Clothing	<u>\$ 0</u>	<u>\$ _____</u>
Laundry and dry-cleaning	<u>\$ 10</u>	<u>\$ _____</u>
Medical and dental expenses	<u>\$ 0</u>	<u>\$ _____</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 20 0	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ _____	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ n/a	\$ _____
Life	\$ n/a	\$ _____
Health	\$ n/a	\$ _____
Motor Vehicle	\$ n/a 0	\$ _____
Other: _____	\$ 0	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ 0	\$ _____
Installment payments		
Motor Vehicle	\$ 0	\$ _____
Credit card(s)	\$ 400	\$ _____
Department store(s)	\$ 0	\$ _____
Other: _____	\$ 0	\$ _____
Alimony, maintenance, and support paid to others	\$ 0	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ _____
Other (specify): <u>Legal Costs (printing, paper, ink)</u>	\$ 200	\$ _____
Total monthly expenses:	\$ 1970	\$ _____

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? N/A

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? N/A.

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

N/A.

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

MY ENTIRE LIFE IS DEVOTED TO STOPPING THE
KIDNAPPING OF MY SON AND THE MALICIOUS
PROSECUTIONS OF ME BY CITY OF SEATTLE.

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

Executed on: May 25, 2024

Kurt A. Banday
(Signature)