

No. 23-7617

ORIGINAL

Supreme Court, U.S.
FILED
MAR 27 2024
OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Andrew H Nguyen PETITIONER
(Your Name)

VS.

AT&T RESPONDENT(S)

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.

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(Signature)

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

I, Andrew H Nguyen, 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 expected the past 12 months		Amount next month	
	You	Spouse	You	Spouse
Employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>2,827</u>	\$ <u>898</u>	\$ <u>2,827</u>	\$ <u>898</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ <u>2,827</u>	\$ <u>898</u>	\$ <u>2,827</u>	\$ <u>898</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	N/A	N/A	\$0
			\$
			\$

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	N/A	N/A	\$0
			\$
			\$

4. How much cash do you and your spouse have? \$ 1,869
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
Bank of America - Checking	\$ 480	\$ 0
Chase Bank - Checking	\$ 0	\$ 581
1 st National Bank - Checking	\$ 808	\$ 0

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

Home
Value \$300,744 (Appraised Val)

Other real estate
Value 0

Motor Vehicle #1
Year, make & model 2003, Toy. Tacoma
Value \$8,034

Motor Vehicle #2
Year, make & mode 2014, Toy. Camry
Value \$14,426

Other assets
Description 401K
Value \$84,844.05

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	\$0	\$0
N/A	\$0	\$0
N/A	\$0	\$0

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
Nhe T Nguyen	Mother	92
Buoi T Tran	Spouse	68
Pebbles	Pet	12 and 1/2

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	\$ 0
Are real estate taxes included? Yes <input checked="" type="checkbox"/> No		
Is property insurance included? Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$360.00	\$80.00
Home maintenance (repairs and upkeep)	\$220.00	\$75.00
Food	\$180.00	\$125.00
Clothing	\$70.00	\$115.00
Laundry and dry-cleaning	\$45.00	\$80.00
Medical and dental expenses	\$60.00	\$450.00

	You	Your spouse
Transportation (not including motor vehicle payments)	\$60.00_____	\$45.00_____
Recreation, entertainment, newspapers, magazines, etc.	\$45.00_____	\$35.00_____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$279.00_____	\$0_____
Life	\$85.00_____	\$0_____
Health (Medicare monthly Premium)	\$174.70_____	\$174.70_____
Motor Vehicle	\$65.00_____	\$85.00_____
Other: (Food for Pet)	\$35.00_____	\$25.00_____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): (Property tax)	\$253.00_____	\$0_____
Installment payments		
Motor Vehicle	\$0_____	\$0_____
Credit card(s)	\$450.00_____	\$125.00_____
Department store(s)	\$25.00_____	\$45.00_____
Other: _____	\$0_____	\$0_____
Alimony, maintenance, and support paid to others	\$0_____	\$0_____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$0_____	\$0_____
Other (specify): _____	\$0_____	\$0_____
Total monthly expenses:	\$1,957.00_____	\$1,460.00_____

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 have to take care for my 92 years old Mother, take care for my wife had been diagnostic With the cancer since 2017. I have to pay for the copay for the Doctors, testing, the medicines, etc. Meanwhile, I have to pay for the treatments for our 12 and a half years old pet in a liver and kidney issues. The doctor would not recommend for any injection for testing. She might not wake up

The Vet doctor had suggested to us regarding the injection to end of her life. We would not want to do so; we have been loving her so much. She has been a well behaviors and she has been an Emotional Support Animal for wife

We have some saving money in the 401K accounts. Please refer to the copy from the Fidelity. We have been received with a fit income from the Social Security, we don't have any other source income beside the 401K balance. We have been tried to save the fund for our family members for the future emergency such as: The funeral and paying for the treatments for our family members

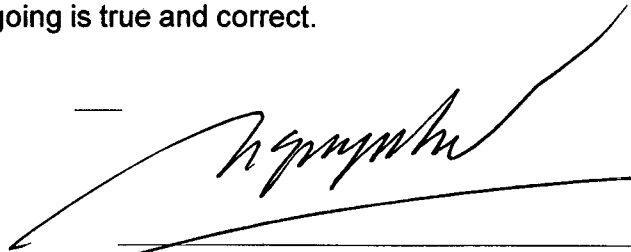
It's a very hard for us to make the budgets for the rest of our family in the coming future. We had been contacted the lawyer offices. They had asked for the money pay upfront and we have to pay for their fees by hours at the very high rates. We would but we couldn't.

We are pleading for any help by the Judges as possible. We need the lawyer to represent for the case. It's a very difficult for me to do the paperwork with the best of my knowledge

I am really appreciated for the favorable consideration from the Judges

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

Executed on May - 25, 2024



(Signature)