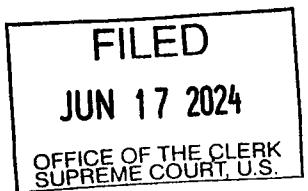


Case No. 23 - 7733



IN THE
SUPREME COURT OF THE UNITED STATES

THOMAS RICHARD WARD,
Petitioner,
vs.
COUNTY OF FAIRFAX & COMMONWEALTH OF VIRGINIA,
Respondents.

ON PETITION FOR WRIT OF CERTIORARI TO
THE SUPREME COURT OF VIRGINIA

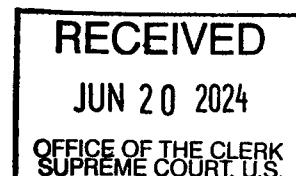
SCOTUS MOTION FOR LEAVE OF COURT
TO PROCEED *IN FORMA PAUPERIS*

SCOTUS RULE 29 CERTIFICATE OF SERVICE (at the end)

Thomas Richard Ward, *pro per* due to this *MI*
8115 Gale Street
Annandale, VA 22003
703-470-5047 / twconsult1995@gmail.com

RECEIVED
JUN 17 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

23-7733



**SCOTUS MOTION FOR LEAVE OF COURT
TO PROCEED *IN FORMA PAUPERIS***

Petitioner has been previously granted leave to proceed *in forma pauperis* in the Supreme Court of Virginia (herein “SCV”) regarding Record No. 230538 and the Court of Appeals of Virginia (here in “CAV”) Record No. 1336-22-4.

Petitioner’s 28 U.S.C. §1746 Declaration in support of this Motion for Leave of Court to Proceed *In Forma Pauperis* is as follows:

**28 U.S.C. §1746 DECLARATION IN SUPPORT OF MOTION
FOR LEAVE OF COURT TO PROCEED *IN FORMA PAUPERIS***

I, Thomas Richard Ward, am the Petitioner in the above-entitled case. In support of my motion for leave of Court to proceed *in forma pauperis*, I state that because of my temporary poverty due to the inability to remain employed in my field after the 05/23/19 misdemeanor discussed in the following SCOTUS Petition for Writ of Certiorari to the Supreme Court of Virginia I am unable to pay the costs of this case or to give security thereof; and I believe I am entitled to redress. My 05/23/18 misdemeanor caused me to lose my job at USAID on 02/06/20 after my subsequent appeal was denied and has caused issues securing W-2 employment since.

I was divorced on 07/03/18 and have not remarried.

1. For myself and my Dependent son aged 12, here is an estimate of average amount of money received [and expected] from the following sources during the past 12 months adjusted to monthly figures before taxes, deductions, or otherwise:

	<u>Past 12 Months:</u>	<u>Next Month:</u>
	Petitioner	Petitioner
Employment (since 02/06/20)	\$0.00	\$0.00
Self-Employment	\$757	\$950
Income from real property (such as rental income)	\$400	\$500
Interest and dividends	\$0.00	\$0.00
Gifts	\$0.00	\$0.00

Alimony	\$0.00	\$0.00
Child Support (since 11/15/22)	(\$931)	(\$931)
Retirement (such as social security, pensions, annuities, insurance)	\$0.00	\$0.00
Disability (such as social Security, insurance pmt's)	\$0.00	\$0.00
Unemployment payments	\$0.00	\$0.00
Public-assistance (such as welfare)	\$0.00	\$0.00
Other: _____	\$0.00	\$0.00
Total monthly income:	\$226	\$519

2. My employment history for the past two years, most recent first is:

Employer	Address	Dates	Gross Monthly
Self-employed	8115 Gale Street Annandale, VA 22003	02/07/20 - present	\$757
U.S. Agency For International Development	1300 Pennsylvania Ave., NW Washington, DC 20004	07/09/18 - 02/06/20	\$12,917

3. My Dependent son (one of two children: son DOB 2012 and daughter DOB 2013) is Not Applicable.

4. My Dependent son and I have almost no cash. I have a checking account currently with **\$4,423.87 after an IRA withdraw plus 2023 Tax refund checks were deposited into that checking account. This covers monthly mortgage and child support payments only. I drive a 2014 Honda CRV with some 160k miles making it too old to Uber / Lyft, which I am unable to get hired as a Uber / Lyft driver due to my 05/23/18 Misdemeanor. From time to time, I am able to drive an elderly**

handicapped persons for limited fees. My IRAs have been virtually cleaned out since the 05/23/18 Misdemeanor and credit card debts have incurred, that are currently \$40,943.63. Despite making timely Child Support Payments above what was required with documentation, the Virginia Department of Social Services initially wrongfully had tax liens issued for more than two years that affected my Credit Report. My subsequent employment was severely impacted per an employment evaluation expert witness' report and testimony. Prior to the Misdemeanor the Petitioner has some \$300k in IRAs now they are as follows:

Type of Account	Petitioner Amount	Dependent Amount
Checking	\$4,423.87	\$0.00
VOYA (BAH work)	\$643.73	\$0.00
Ameriprise	\$3,897.09	\$0.00

5. I own my house at 8115 Gale Street, Annandale, VA, 22003 which is protected from my ex-wife under a pre-nuptial agreement. Fairfax County Government assesses my house value at **\$728,300** with an outstanding mortgage of \$333,000. My house is in need of internal repairs due partly to when my ex-wife's protection order granted her sole-access to my house. During this protection order period when my ex-wife had sole access to my house, I paid mortgage and utilities while unemployed.

I am a party of family real estate in dispute in Minnesota (**Not Applicable**) which is protected from my ex-wife under a pre-nuptial agreement. I own a 2014 Honda CRV (VIN# - 2HKCRM35EH520295) with 160,004 miles worth SALVAGE **\$1,500** and a 1989 Catalina Sailboat worth \$1,000. I do not own any other assets.

6. There is no person, business, or organization owing me money.

7. My Other Dependent:

Name	Relationship	Age
A. N. W.	Daughter	10 years, 6 months
C. T. W.	Son	12 years, 4 months

8. Below is a best estimate to my knowledge of my average monthly expenses:

Petitioner	Dependent
------------	-----------

Home-mortgage payment (Includes real estate taxes and property insurance)	\$ 3,261.41	\$0.00
Utilities (electricity, water, telephone, gas, internet)	\$235.34	\$0.00
Home maintenance	\$175.10	\$0.00
Food	\$177.00	\$0.00
Clothing	\$39.17	\$0.00
Laundry and dry cleaning	\$15.01	\$0.00
Medical and dental expenses	\$64.25	\$0.00
Transportation (motor vehicle fully owned)	\$150.25	\$0.00
Recreation, entertainment, newspaper, magazines, etc.	\$78.21	\$0.00

Insurance (not deducted from wages or
included in mortgage payments):

Homeowner's insurance	\$0.00	\$0.00
Life insurance	\$0.00	\$0.00
Health insurance (Medicaid)	\$0.00	\$0.00
Motor Vehicle insurance	\$57.83	\$0.00

Taxes (not deducted from wages
or included in mortgage payments):

(specify): <u>Personal Property Taxes</u>	\$29.42	\$0.00
---	---------	--------

Installment payments:

Motor Vehicle	\$0.00	\$0.00
Credit Cards (\$4,477.55)	\$1500	\$0.00
Department store(s)	\$0.00	\$0.00
Other: <u>\$44,000 Loan for legal costs - Mom</u>	\$0.00	\$0.00

Alimony, maintenance, and support paid to others	\$0.00	\$0.00
--	--------	--------

Regular expenses for operation of business,
profession, or farm (attach detailed statement):

Copying, Printing, & Mailing	\$65.03	\$0.00
Commissions, travel, fees, etc.	\$110.17	\$0.00
Other (specify): <u>Kids – mail, gifts, etc.</u>	\$53.47	\$0.00
Total Monthly Expenses:	\$6,011.66	\$0.00

9. Yes, I apply on average about 10 applications per day signed commitments only for them to then go quiet due to unsuccessful bids and/or background checks. I have even traveled overseas on business development opportunities given lack of job prospects in the US.

10. No, I am totally *pro se* at this time and have been *pro se* for the duration of all the appeals since an attorney handled my 07/24/22 Writ of Coram Vobis hearing. If this SCOTUS grants my 06/16/24 “SCOTUS Petition for Writ of Certiorari to the Supreme Court of Virginia,” I have thoughts about organizations who might represent me given the Constitutional and rights of children being denied in this process.

11. No, I am completing this form myself and have paid only one Process Server in this matter so far in connection with the underlying cases in the Fairfax County Circuit Court (FCCC), CAV, and SCV. I intend to utilize another Process Server for the Attorney General of Virginia Jason Miyares according to 28 U.S.C. §2403(b)).

12. I have two children who are dependent on me and I lack the time and resources (formatting and printing are time-consuming and substantially costly) to format and print this SCOTUS Rule 14 Brief into 40 plus SCOTUS Rule 33.1 Booklets.

28 U.S.C §1746 DECLARATIONS WITH SIGNATURES

I DECLARE under penalty of perjury that the foregoing "SCOTUS Motion for Leave of Court to Proceed *In Forma Pauperis*" was completed thoroughly being true and correct. I am executing this document on June 14, 2024.

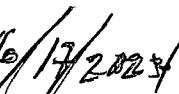
 
Thomas Richard Ward, *pro se*
8115 Gale Street
Annandale, VA 22003
703-470-5047 / twconsult1995@gmail.com

SCOTUS RULE 29 CERTIFICATE OF SERVICE

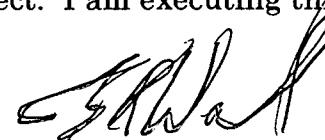
I CERTIFY that I mailed certified USPS true copies of the foregoing "SCOTUS Motion for Leave of Court to Proceed *In Forma Pauperis*" to counsel for: 1) the County of Fairfax being Fairfax Commonwealth's Attorney Steve Descano with process server, per August 28, 2022 notice of appeal to Court of Appeals of Virginia; and, 2) the Commonwealth of Virginia being Collin C. Crookenden at the following addresses:

Steve Descano,
Fairfax Commonwealth's Attorney
4110 Chain Bridge Road, Suite #114
Fairfax, Virginia 22030
Phone: 703-246-2776
per appeal notice of 08/28/2022

Collin C. Crookenden (VSB#93455)
Assistant Attorney General
Criminal Appeals Section
Office of the Attorney General
202 North Ninth Street
Richmond, Virginia 23219
Email: ccrookenden@oag.state.va.us and OAG Criminal Litigation
oagcriminallitigation@oag.state.va.us who presented this matter in both
CAV and SCV
Phone: 804-786-2071
Facsimile: 804-371-0151

I DECLARE under penalty of perjury that the foregoing "SCOTUS Rule 29 Certificate of Service" is true and correct. I am executing this document on June 17, 2024.

Thomas Richard Ward, *pro per*

Attachment: Petition to the Supreme Court of the United States regarding this matter of Supreme Court of Virginia Record No. 230538 and Court of Appeals of Virginia Record No. 1336-22-4.