

24-5218

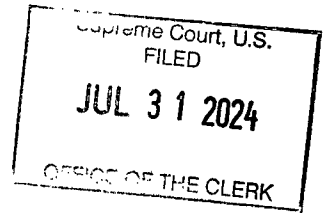
No. _____

ORIGINAL

(24 A 30)

IN THE

SUPREME COURT OF THE UNITED STATES



Martin Akerman, pro se — PETITIONER
(Your Name)

Northwestern Mutual Life Insurance Company ^{vs.} — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals for the Seventh Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Martin Akerman, pro se
(Your Name)

2001 North Adams Street, 440
(Address)

Arlington, VA 22201
(City, State, Zip Code)

202-656-5801
(Phone Number)

QUESTION(S) PRESENTED

Whether the denial of in forma pauperis (IFP) status by the district court and the subsequent refusal by the Seventh Circuit Court of Appeals to review the case without payment of an appeal fee violates the First Amendment's Petition Clause and the due process rights of a financially disadvantaged litigant, particularly when the petitioner has provided substantial evidence of indigence and significant legal questions warranting appellate review.

LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- ☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

U.S. Court of Appeals for the Seventh Circuit, Case No. 24-1245
U.S. District Court for the Eastern District of Wisconsin,
Case No. 24-cv-00152-BHL

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OTHER

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was June 18, 2024.

☐ No petition for rehearing was timely filed in my case.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: June 25, 2024, and a copy of the order denying rehearing appears at Appendix C.

☒ An extension of time to file the petition for a writ of certiorari was granted to and including October 16, 2024 (date) on July 15, 2024 (date) in Application No. 24 A 30.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- First Amendment: Petition Clause
- 28 U.S.C. § 1254(1)
- Fifth Amendment: Due Process Clause

STATEMENT OF THE CASE

Petitioner Martin Akerman, appearing pro se, seeks review of the denial of his motion to proceed in forma pauperis (IFP) by the United States Court for the Eastern District of Wisconsin, a decision that was subsequently affirmed by the United States Court of Appeals for the Seventh Circuit. Despite providing substantial evidence of indigence, the district court denied the IFP motion, effectively barring the petitioner from pursuing an appeal without the payment of an appeal fee. The Seventh Circuit upheld this decision, denying Akerman's petition for rehearing.

The petitioner contends that the denial of IFP status should allow for appeal in the U.S. Court of Appeals without the payment of an appeal fee, as it relates to challenging the IFP determination.

The petitioner was forced to pay a fee without opportunity to challenge the denial because of non-liquid retirement assets. The petitioner liquidated the Roth IRA on grounds of disability to make the payment.

REASONS FOR GRANTING THE PETITION

Constitutional Issues: This case raises important constitutional questions concerning the right to access the courts, particularly for indigent litigants. The denial of IFP status, in this case, implicates the petition clause of the first amendment and the due process protections guaranteed by the Fifth Amendment. It is crucial for the Supreme Court to clarify the standards for granting IFP status and ensure that financially disadvantaged individuals are not unjustly barred from seeking justice.

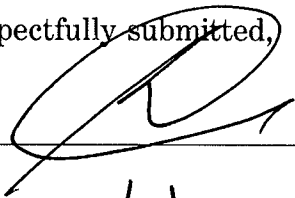
Significance of the Issue: The ability to proceed IFP is a critical safeguard for ensuring that all individuals, regardless of their financial status, have access to the judicial system. The denial of IFP status in cases where substantial evidence of indigence is presented sets a concerning precedent that could restrict access to justice for many individuals in similar circumstances. This issue has broad implications and warrants review by the Supreme Court.

Consistency with Precedent: The Supreme Court's intervention is necessary to ensure that lower courts adhere to constitutional principles and established legal standards in determining IFP eligibility.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: 7/31/2024

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