

24-527

No. _____

FILED
JUN 05 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

ORIGINAL

SUPREME COURT OF THE UNITED STATES

JAMES ARTHUR ROSS – PETITIONER

VS.

ERIN REYES, ET AL. - 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 cost 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): Umatilla County Circuit Court and the Oregon Court of Appeals.

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court. N/A

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: N/A

The appointment was made under the following provision of law: _____, or a copy of the order of appointment is appended. N/A


(Signature)

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

I, James Arthur Ross, 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 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	\$0	\$0	\$0	\$0
Self-employment	\$0	\$0	\$0	\$0
Income from real property (such as rental property)	\$0	\$0	\$0	\$0
Interest and dividends	\$0	\$0	\$0	\$0
Gifts	\$0	\$0	\$0	\$0
Alimony	\$0	\$0	\$0	\$0
Child Support	\$0	\$0	\$0	\$0
Retirement (such as social security, pensions, annuities, insurance)	\$0	\$0	\$0	\$0
Disability (such as social security, insurance payments)	\$0	\$0	\$0	\$0
Unemployment payments	\$0	\$0	\$0	\$0
Public-assistance (such as welfare)	\$0	\$0	\$0	\$0
Other (specify)*	\$100	\$0	\$0	\$0

* My mother has been trying to help to cover my expenses as I am not allowed to work right now due to medical injury/disability, *see Ross v. State*, 2:23-cv-00515-SB (D. Or. Oct 24, 2023). Unfortunately, my mother suffers from a brain tumor and is in substantial debt herself and can no longer help me.

Total monthly income: \$100 \$0 \$0 \$0

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.):

N/A

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.):

N/A

4. How much cash do you and your spouse have?

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
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<u>Inmate Trust Account</u>	<u>\$1 Approx.</u>	<u>\$0</u>
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5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings:

None - N/A

6. State every person, business or organization owing you or your spouse money, and the amount owed:

N/A

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):

N/A

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>\$N/A</u>	<u>\$N/A</u>
Utilities (electricity, heating fuel, Water, sewer, and telephone)	<u>\$60 approx.</u>	<u>\$N/A</u>
Home maintenance (repairs and upkeep)	<u>\$N/A</u>	<u>\$N/A</u>
Food	<u>\$40 approx.</u>	<u>\$N/A</u>
Clothing	<u>\$5</u>	<u>\$N/A</u>
Laundry and dry-cleaning	<u>\$N/A</u>	<u>\$N/A</u>
Medical and dental expenses	<u>\$5</u>	<u>\$N/A</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$N/A	\$N/A
Recreation, entertainment, newspapers, magazines, etc.	\$20 approx.	\$N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$N/A	\$N/A
Life	\$N/A	\$N/A
Health	\$N/A	\$N/A
Motor Vehicle	\$N/A	\$N/A
Other: _____	\$N/A	\$N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$N/A	\$ N/A
Installment payments		
Motor Vehicle	\$N/A	\$N/A
Credit card(s)	\$N/A	\$N/A
Department store(s)	\$N/A	\$N/A
Other: <u>Court Filing Fees Approx. \$500 total</u>	\$20 approx.	\$N/A
Alimony, maintenance, and support paid to others	\$N/A	\$N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$N/A	\$N/A
Other (specify): _____	\$N/A	\$N/A
Total monthly expenses:	\$150	\$N/A

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.

*This is a difficult question as I am a prisoner and as explained above, any money that I may receive is from friends and family. As described above, my mother recently informed me of her severe situation on top of my inability to work. So, yes, everything is changing for me as I have no source of income moving forward and have no idea of what I am going to do.

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? N/A at this time.

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 typist) any money for services in connection with this case, including the completion of this form? N/A at this time.

Yes No


If yes, how much? \$

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

12. Provide any other information that will help explain why you cannot pay the cost of this case. I have been incarcerated for approx. 21 years now. When I first came to prison, my wife obtained everything of value through the divorce. What little I do have is through the grace of GOD in the form of friends and family and what I might be able to obtain or receive through the Prison's work programs, which as explained above, no longer applies to me. Other than that, I have nothing except the 19+ years remaining on my sentence and the hope that one day that might change. Thank you for your understanding.

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

Executed on: June 05, 2024.


(Signature)