

24-5334
No.

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
FEB 22 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Russell G. Conlon - PETITIONER
(Your Name)

VS.
Oklahoma Department of Human Services,
Child Support Services, 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 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.


(Signature)

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

I, Russell G. Conlon, 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.

I am unmarried.

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	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Self-employment	\$ <u>3303.75</u>	\$ <u>7</u>	\$ <u>4200</u>	\$ <u>7</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>7</u>	\$ <u>0</u>	\$ <u>7</u>
Interest and dividends	\$ <u>0</u>	\$ <u>7</u>	\$ <u>0</u>	\$ <u>7</u>
Gifts	\$ <u>0</u>	\$ <u>7</u>	\$ <u>0</u>	\$ <u>7</u>
Alimony	\$ <u>0</u>	\$ <u>7</u>	\$ <u>0</u>	\$ <u>7</u>
Child Support	\$ <u>0</u>	\$ <u>7</u>	\$ <u>0</u>	\$ <u>7</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>7</u>	\$ <u>0</u>	\$ <u>7</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>7</u>	\$ <u>0</u>	\$ <u>7</u>
Unemployment payments	\$ <u>0</u>	\$ <u>7</u>	\$ <u>0</u>	\$ <u>7</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>7</u>	\$ <u>0</u>	\$ <u>7</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>7</u>	\$ <u>0</u>	\$ <u>7</u>
Total monthly income:	<u>\$ 3303.75</u>	<u>\$ N/A</u>	<u>\$ 4200</u>	<u>\$ N/A</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
Self-Employed	N/A	4/2022-Present	\$ 3303.75
Chickasaw Community Bank	7501 W. Memorial Rd. OKC, OK	9/2019-11/2023	\$ 5100 (est.)
			\$

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	\$ N/A
			\$ Z
			\$

4. How much cash do you and your spouse have? \$ _____
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
Paypal - Savings	\$ 138.36	\$ N/A
	\$	\$
	\$	\$

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

Home
Value _____

Other real estate
Value _____

Motor Vehicle #1
Year, make & model _____
Value _____

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

Other assets
Description _____
Value _____

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

Person owing you or your spouse money

None
2

Amount owed to you

\$ _____
\$ _____
\$ _____

Amount owed to your spouse

\$ _____
\$ _____
\$ _____

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
E.G.C.
W.S.C.

Relationship
Daughter
Son

Age
16
12

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>68.00</u>	\$ _____
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ _____
Food	\$ <u>900</u>	\$ _____
Clothing	\$ <u>25</u>	\$ _____
Laundry and dry-cleaning	\$ <u>50</u>	\$ _____
Medical and dental expenses	\$ <u>25</u>	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 900	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 125	\$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0	\$
Life	\$ 0	\$
Health	\$ 0	\$
Motor Vehicle	\$ 0	\$
Other: _____	\$ 0	\$
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ 0	\$
Installment payments		
Motor Vehicle	\$ 1208	\$
Credit card(s)	\$ 0	\$
Department store(s)	\$ 0	\$
Other: _____	\$ 0	\$
Alimony, maintenance, and support paid to others	\$ 830.92*	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$
Other (specify): _____	\$ 0	\$
Total monthly expenses:	\$ 4131.92	\$ N/A

* This amount is currently in legal dispute. I have not been able to pay child support for several months.

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.

See attached statement.

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.

See attached statement.

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

Executed on: August 8, 2024

Russell Conlon
(Signature)

Statement Of Russell G. Conlon, Petitioner

I, Russell G. Conlon, Petitioner in the matter that has been brought before this Court, hereby outline in detail and present reasons why motion to proceed in forma pauperis should be granted.

On January 6, 2023, I was laid off by my last employer, Chickasaw Community Bank of over three years, as a mortgage loan officer due to a severe downturn in mortgage loan origination. This downturn was caused by a sharp rise in interest rates that was caused by substantial inflation that took place in 3rd and 4th quarter 2022. Prior to being laid off, I began to work part-time as a independent contractor, contracting as a taxi/delivery driver on April 9, 2022 as I saw the downturn coming. I have been doing this work ever since and have been biding my time and plan to re-enter working in the mortgage industry in early 2025.

The costs associated with bringing appellate action to this Court and litigating in the District Court of Oklahoma County and the Supreme Court of Oklahoma have contributed to my current state of poverty. I am currently homeless and living out of a rental vehicle because I had to voluntarily turn my personal vehicle in for repossession in early July 2024, as I could no longer afford the car and auto insurance payments, and I could no longer afford to pay rent at the residence I resided at since August 2018. This was caused by a standard seasonal downturn that takes place in late Spring/early Summer of every year with the independent contractor work I do. Given the likelihood of a deficiency judgment from the vehicle repossession, back taxes owed to the federal and state government, and a few civil judgments that I have, I will be filing for Chapter 7 bankruptcy, initiating said civil action in the very near future as a pro se litigant. I see no other way to provide financial relief as I just have not made enough income since I was laid off in January 2023 to consistently pay my standard living expenses of shelter, transportation, food, other utilities, child support, and there have been garnishments and/or garnishment attempts upon my paychecks and bank accounts in the last few years. Filing for bankruptcy protection will allow me to get a fresh start, save money to rent a new living residence, and be able to have enough disposable income to live decently from month to month, while still litigating the appeal I have brought before this Court and the pending bankruptcy action. As to question 9 on motion to proceed in forma pauperis I am moving for before this Court, I intend to start making child support payments and saving money for a security deposit to rent a living residence as soon as reasonably possible.

Documentation verifying what I have outlined before this Court is available upon request of the Court.