

24-5472

Case No.

ORIGINAL

In The Supreme Court for the United States of America

In re: Jayaton-Kerry: Thomas: Petitioner,

FILED

AUG 29 2024

ST. CLERK U.S.

On Petition for Writ of Mandamus or Prohibition to the Ninth
Circuit for the United States of America Court of Appeals, San
Francisco Division

2:23-cv-02298-TLP-AC; 24-2582

Motion For Leave to Proceed *In Forma Pauperis*

The petitioner asks leave to file the attached petition for a writ of mandamus without prepayment of costs and to proceed in form pauperis.

Petitioner has been granted leave to proceed in forma pauperis in the following courts:

Ninth Circuit Court of Appeals
Bankruptcy Court for the Eastern District of California

Petitioner's declaration in support of this motion is attached hereto.

Date August 28, 2024
Thomas: Jayaton-Kerry

By: Thomas: Jayaton-Kerry, L.S.

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

I, Thomas J. Jackson-Kerry, 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 the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Self-employment	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Income from real property (such as rental income)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Interest and dividends	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Gifts	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Alimony	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Child Support	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Disability (such as social security, insurance payments)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Unemployment payments	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Public-assistance (such as welfare)	\$ <u>406.00</u>	\$ <u>—</u>	\$ <u>406.00</u>	\$ <u>—</u>
Other (specify): <u> </u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Total monthly income:	\$ <u>406.00</u>	\$ <u>—</u>	\$ <u>406.00</u>	\$ <u>—</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
<i>W A</i>			\$
			\$
			\$

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
<i>W/A</i>			\$
			\$
			\$

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
<i>W/A</i>	\$	\$
	\$	\$
	\$	\$

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	Amount owed to you	Amount owed to your spouse
<u>NAA</u>	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____

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
<u>NAA</u>	_____	_____
	_____	_____
	_____	_____

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)	\$ _____	\$ _____
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)	\$ _____	\$ _____
Home maintenance (repairs and upkeep)	\$ _____	\$ _____
Food	\$ <u>179</u>	\$ _____
Clothing	\$ _____	\$ _____
Laundry and dry-cleaning	\$ <u>40.00</u>	\$ _____
Medical and dental expenses	\$ _____	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ /	\$ /
Recreation, entertainment, newspapers, magazines, etc.	\$ /	\$ /
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ /	\$ /
Life	\$ /	\$ /
Health	\$ /	\$ /
Motor Vehicle	\$ /	\$ /
Other: _____	\$ /	\$ /
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>HHA</u>	\$ /	\$ /
Installment payments		
Motor Vehicle	\$ /	\$ /
Credit card(s)	\$ /	\$ /
Department store(s)	\$ /	\$ /
Other: _____	\$ /	\$ /
Alimony, maintenance, and support paid to others	\$ /	\$ /
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ /	\$ /
Other (specify): <u>storage</u>	<u>\$ 190.00</u>	\$ /
Total monthly expenses:	<u>\$ 409.00</u>	\$ /

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? Not applicable

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? Not applicable

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

Not applicable

12. Provide any other information that will help explain why you cannot pay the costs of this case.

~~Not applicable~~ Article 1 section 2 clause 3
14th Amendment

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

Executed on: August 28, 2024

By: Thomas Turkey, L.S.
(Signature)