

24-5844

ORIGINAL

No. \_\_\_\_\_

FILED  
OCT 21 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE  
SUPREME COURT OF THE UNITED STATES

KIMBERLY EDELSTEIN — PETITIONER  
(Your Name)

VS.

MENACHEM EDELSTEIN,  
aka MAX EDELSTEIN — 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):

U.S. Court of Appeals, 6th Circuit, Hamilton County Court of Common Pleas, Hamilton County, Ohio

☐ 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.

Kimberly Edelstein  
(Signature)

STATE OF INDIANA       )  
                                  )<sup>ss</sup>  
COUNTY OF HAMILTON    )

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

I, KIMBERLY EDELSTEIN, only sworn, 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>4320</u>	\$ <u>n/a</u>	\$ <u>4320</u>	\$ <u>n/a</u>
Self-employment	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Interest and dividends	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Gifts	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Alimony	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Child Support	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Unemployment payments	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Public assistance (such as welfare)	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
Other (specify): <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>	\$ <u>0</u>	\$ <u>n/a</u>
<b>Total monthly income:</b>	\$ <u>4320</u>	\$ <u>n/a</u>	\$ <u>4320</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
RELX	230 Park Ave. New York, NY 10169	9/16/22 - current	\$ 4320
n/a	n/a	n/a	\$ n/a
n/a	n/a	n/a	\$ 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 - unmarried

Employer	Address	Dates of Employment	Gross monthly pay
n/a	n/a	n/a	\$ n/a
n/a	n/a	n/a	\$ n/a
n/a	n/a	n/a	\$ n/a

4. How much cash do you and your spouse have? \$ 21  
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
CHECKING	\$ 21	\$ n/a
Business Checking	\$ 10	\$ n/a
n/a	\$ n/a	\$ 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 n/a

☐ Other real estate  
Value n/a

☒ Motor Vehicle #1  
Year, make & model 2018 Nissan Rogue  
Value \$17,700

☐ Motor Vehicle #2  
Year, make & model n/a  
Value n/a

☐ Other assets  
Description n/a  
Value n/a

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

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
n/a	\$ n/a	\$ n/a
n/a	\$ n/a	\$ n/a
n/a	\$ n/a	\$ 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").

Name	Relationship	Age
S.E.	Son	12
n/a	n/a	n/a
n/a	n/a	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 int rented for mobile home)	\$ 1,650	\$ n/a
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 450	\$ n/a
Home maintenance (repairs and upkeep)	\$ 30	\$ n/a
Food	\$ 370	\$ n/a
Clothing	\$ 0	\$ n/a
Laundry and dry-cleaning	\$ 0	\$ n/a
Medical and dental expenses	\$ 100	\$ n/a

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 250	\$ n/a
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ n/a
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 18.50	\$ n/a
Life	\$ 75	\$ n/a
Health	\$ 93	\$ n/a
Motor Vehicle	\$ 105	\$ n/a
Other: pet expenses	\$ 60	\$ n/a
Taxes (not deducted from wages or included in mortgage payments)		
Federal, State, Medicare, and Social Security		
(specify):	\$ 442	\$ n/a
Installment payments		
Motor Vehicle	\$ 0	\$ n/a
Credit cards	\$ 200	\$ n/a
Department stores	\$ 0	\$ n/a
Other: n/a	\$ 0	\$ n/a
Alimony, maintenance, and support paid to others	\$ 600.75	\$ n/a
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ n/a
Other (specify): n/a	\$ 0	\$ n/a
<b>Total monthly expenses</b>	<b>\$ 4,443.25</b>	<b>\$ n/a</b>

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

9. I expect my income to be significantly impacted within the next six months due to a divorce decree that resulted in me owing \$446,000.00 to my ex-husband pursuant to a property division. The amount owed immediately upon the conclusion of an appeal consists of a lump sum of \$6,000 and an additional monthly payment of \$1,000 per month for the next 23 months. The remaining lump sum payment owed consists of \$417,000.00.

*Kimberly Edelstein*  

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*Kimberly Edelstein*

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 Addendum attached

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? n/a

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

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? n/a

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

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

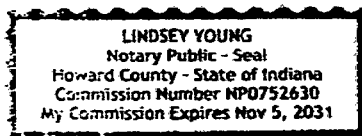
I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 18, 2024

Lindsey Edelstein

(Signature)

SWORN TO BEFORE ME and subscribed in my presence this 18 day of October, 2024.



Notary Public

Lindsey Young