

No. 24-5923

IN THE
SUPREME COURT OF THE UNITED STATES

Justin Martinez — PETITIONER
(Your Name)

VS.

COMMONWEALTH of Pennsylvania — RESPONDENT(S)

Supreme Court, U.S.
FILED

OCT 03 2024

OFFICE OF THE CLERK

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):

Common Pleas of Westmoreland County, Pennsylvania, Circuit Court of Pennsylvania, Superior Court of Pennsylvania, Superior Court of Pennsylvania, Circuit Court of Illinois, etc.

☐ 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: Pennsylvania
14th Amendment Right of Counselors Granting Power on Certiorari set forth in Rule 10, or

☐ a copy of the order of appointment is appended.

(Signature)

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SEP 30 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Exhibit Alpha

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

I, Justin Martinez, 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>140.00</u>	\$ <u>3,000.00</u>	\$ <u>140.00</u>	\$ <u>3,000.00</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>Shard</u>	\$ <u>370.00</u>	\$ <u>Shard</u>	\$ <u>370.00</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>140.00</u>	\$ <u>3,370.00</u>	\$ <u>140.00</u>	\$ <u>3,370.00</u>

Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$ 304.00
Home maintenance (repairs and upkeep)	\$ 100.00	\$ 150.00
Food	\$ 0	\$ 500.00
Clothing	\$ 0	\$ 150.00
Laundry and dry-cleaning	\$ 0	\$ 50.00
Medical and dental expenses	\$ 0	\$ -
Transportation (not including motor vehicle payments)	\$ 0	\$ 360.00
Recreation, entertainment, newspapers, magazines, etc.	\$ 15.00	\$ 200.00
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 0	\$ 95.00
Life:	\$ 0	\$ 0
Health:	\$ 0	\$ 0
Motor vehicle:	\$ 0	\$ 100.00
Other:	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ 0	\$ 1,400.00 property tax
Installment payments		
Motor Vehicle:	\$ 0	\$ 0
Credit card (name): Discover	\$ 0	\$ 35.00
Department store (name):	\$ 0	\$ 0
Other: present loan payments & when able	\$ 500.00	\$ 500.00
Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0
Other (specify): Court fees in excess of \$,000.00	\$ 25.00	\$ 0
Total monthly expenses:	\$ 640.00	\$ 2,940.00

Annually.



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
<u>Fulton Library</u>	<u>Fulton, IL</u>	<u>7/97 to Present</u>	<u>\$ 14.00</u>
<u>ArMcCon</u>	<u>Clinton, IL</u>	<u>approx 1 year prior</u>	<u>\$ 500.00</u>
			<u>\$</u>

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
<u>ALVING</u>	<u>Clinton, IL</u>	<u>7/97 to Present</u>	<u>\$ 3,000.00</u>
<u>Lucy Childs</u>	<u>Fulton, IL</u>	<u>approx 1 year prior</u>	<u>\$ 400.00</u>
			<u>\$</u>

4. How much cash do you and your spouse have? \$74.32

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
<u>Ascension Savings</u>	<u>\$ None</u>	<u>\$ 270.53</u>
<u>Ascension Checking</u>	<u>\$ None</u>	<u>\$ 1,488.52</u>
<u>Chen Bank Savings</u>	<u>\$ 30.00</u>	<u>\$ None</u>

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

☒ Home
Value 25,000.00 1/2 owned

☐ Other real estate
Value NONE

☒ Motor Vehicle #1
Year, make & model 2001, Chevy Silverado
Value \$ 000.00

☒ Motor Vehicle #2
Year, make & model 2001 Toyota Camry
Value 700.00

☐ Other assets
Description NONE
Value 0

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

Person owing you or your spouse money

Nb N Co
|

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	Relationship	Age
<u>Z. M</u>	<u>Daughter</u>	<u>6</u>
<u>H. M</u>	<u>Daughter</u>	<u>14</u>
<u>C. M</u>	<u>Son</u>	<u>10</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.

Rent or home-mortgage payment
(include lot rented for mobile home)

Are real estate taxes included? ☐ Yes ☒ No
Is property insurance included? ☐ Yes ☒ No

You

Your spouse

\$ 0

\$ 0

Utilities (electricity, heating fuel,
water, sewer, and telephone)

\$ 0

\$ 304.00

Home maintenance (repairs and upkeep)

\$ 100.00

\$ 150.00

Food

\$ 0

\$ 500.00

Clothing

\$ 20.00

\$ 150.00

Laundry and dry-cleaning

\$ 0

\$ 50.00

Medical and dental expenses

\$ 0

\$ 0

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>360.00</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>100.00</u>	\$ <u>200.00</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>95.00</u>
Life	\$ <u>0</u>	\$ <u>0</u>
Health	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>100.00</u>
Other: _____	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Property Tax</u>	\$ <u>0</u>	\$ <u>1,400.00</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s) <u>Discover</u>	\$ <u>0</u>	\$ <u>35.00</u>
Department store(s)	\$ <u>0</u>	\$ <u>0</u>
Other: <u>Personal Loan Payments when able</u>	\$ <u>500.00</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>0</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>Cost of copies / legal / paper</u>	\$ <u>25.00</u>	\$ <u>200.00</u>
Total monthly expenses:	\$ <u>745.00</u>	\$ <u>2,400.00</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? \$500.00

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

Courant Debra Allen in Pittsburg. Petitioner would not eat the cost then look up the name of Allen as doing so will result in lawsuit against Allen.

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? 25 - 100.00 for copies.

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

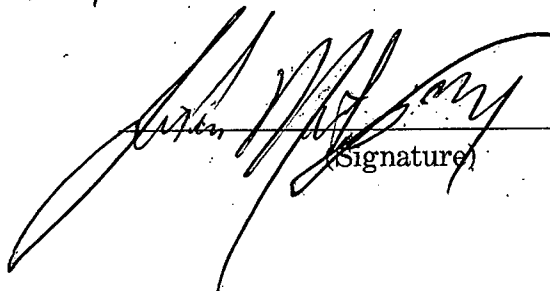
American Speedy Printing Center
301 W. 2nd St. Suite A. Clinton IA 52732

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

Petitioner owes \$8,000.00 in court fees of 16,400.00 in personal loans in court with Alvin Peterson

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

Executed on: September 12th of 2021


(Signature)