

No.

24-0218

FILED

NOV 14 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Julien Simmons pro se — PETITIONER  
(Your Name)

VS.

Consumer Assistance Group 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.

Julien Simmons

(Signature)

RECEIVED

NOV 19 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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

I, \_\_\_\_\_, 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	\$ 918.52	\$ N/A	\$ 1,511	\$ N/A
Self-employment	\$ N/A	\$ N/A	\$ 0	\$ N/A
Income from real property (such as rental income)	\$ 0	\$ N/A	\$ 0	\$ N/A
Interest and dividends	\$ 0	\$ N/A	\$ 0	\$ N/A
Gifts	\$ 700	\$ N/A	\$ 0	\$ N/A
Alimony	\$ 0	\$ N/A	\$ 0	\$ N/A
Child Support	\$ 0	\$ N/A	\$ 0	\$ N/A
Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ N/A	\$ 0	\$ N/A
Disability (such as social security, insurance payments)	\$ 0	\$ N/A	\$ 0	\$ N/A
Unemployment payments	\$ 0	\$ N/A	\$ 0	\$ N/A
Public-assistance (such as welfare)	\$ 295	\$ N/A	\$ 295	\$ N/A
Other (specify): _____	\$ 0	\$ N/A	\$ 0	\$ N/A
<b>Total monthly income:</b>	\$ 1,511	\$ N/A	\$ 0	\$ N/A

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
Compass Group	2400 Yorkmonte rd, Charlotte, NC	October 23 - Current	\$ 1511
Amazon Flex	2121 7th Ave Seattle WA	Oct 23 - Dec 15 2023	\$ 1600
Amazon	2121 7th Ave Seattle WA	June - Sep 8th 2023	\$ 2240

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			\$

4. How much cash do you and your spouse have? \$ 5.00  
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	\$ 308.12	\$
Checking	\$ 86	\$
	\$	\$

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 N/A  
Value N/A

☐ 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.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>N/A</u>	\$ <u>                    </u>	\$ <u>                    </u>
<u>N/A</u>	\$ <u>                    </u>	\$ <u>                    </u>
<u>N/A</u>	\$ <u>                    </u>	\$ <u>                    </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>J.S</u>	<u>Son</u>	<u>9 years old</u>
<u>N/A</u>	<u>                    </u>	<u>                    </u>
<u>N/A</u>	<u>                    </u>	<u>                    </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)	\$ <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>0</u>	\$ <u>N/A</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>N/A</u>
Food	\$ <u>500</u>	\$ <u>N/A</u>
Clothing	\$ <u>50</u>	\$ <u>N/A</u>
Laundry and dry-cleaning	\$ <u>25</u>	\$ <u>N/A</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>N/A</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>80</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>0</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>150</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ <u>N/A</u>
Other (specify): <u>Washing - storage units</u>	\$ <u>207</u>	\$ <u>N/A</u>
<b>Total monthly expenses:</b>	\$ <u>1,012</u>	\$ <u>N/A</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? \_\_\_\_\_

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.

*I can not afford to pay the cost of this case, because I have recently found employment, and I have been unemployed since December 15<sup>th</sup>, 2024.*

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

Executed on: 11-14, 2024

  
(Signature)

## Motion For Leave to Proceed In Forma Pauperis

I Julien Simmons, am filing a Motion For Leave to Proceed In Forma Pauperis for a Petition for Writ of Certiorari pursuant to U.S. Supreme Court Rule 14. As a response to question 12 Petitioner is currently homeless and has been homeless since his eviction during the District Court in May 15, 2023. Petitioner is also unemployed and has been so since December 15, 2023 giving reason to be granted to Proceed In Forma Pauperis. Petitioner was ready to mail off his Petition for Writ of Certiorari on the October 8<sup>th</sup>, 2024 but was unable to because he lacks the funds to print out the required amount of 10 copies of the Petition, and 10 copies of the IFP pursuant to U.S. Supreme Court Rule 12. Petitioner does understand Rule 12 and its strict stipulations for this Petition to be made sufficient. Petitioner has sought employment but has not been able to obtain a job until recently on October 23. Petitioner had to wait to till he could obtain enough money from his job with Morrison Health to file the specified amount of copies. If the Courts would respond to Petitioner and let him know if he sufficient he would be most grateful. Petitioner is aware that it is the fourth quarter and though his Writ is Certiorari is timely filed it is late in this year for his Petition to be added to the Courts Docket. Petitioner ask that the Courts take note that the 5<sup>th</sup> Circuit has left the Petitioner homeless which is similar how the Veteran Affairs left Hughes limb less in *Hughes v. United States* 263 F.3D 272, 278 (3<sup>rd</sup> Cir.2001). *Hughes v. United States*. This will be more thoroughly discussed in Petitioners Writ for Certiorari and is reason for the Courts to grant the Petitioner Writ of Certiorari and this Motion to Leave To Proceed In Forma Pauperis.

Petitioner has just started working and is trying to get back on his feet. Petitioner has debt account that he must begin to pay back before he can get another apartment based on his credit score, which is 532. He has debt collection accounts with and with a sum of as listed:

Department of Education Nel Net \$8,530, Professional Debt Mediation \$3,622, The CBE Group INC-Formaly VAC \$384, Kingston Data and Credit Inter \$236, Portfolio Recovery \$347, LVNV Funding LLC \$694, Caine and Weiner \$165, and NC State Employees Credit Union \$5,016.

That is a total of 10,448 dollars. I have not yet made my payment plans with these collection agencies. I have a part time job that pays \$16.79. I work this job while I learn life insurance from Primerica so I can start as a life insurance agent with my own LLC. I may have more account in collections but that is all a can see using credit karma. This is all debt that I have not be accumulated or have been unable to pay since beginning my lawsuit against the Respondents.

#### **Declaration**

I declare pursuant to Rule 29, and pursuant to 28 U. S. C. § 1746 under penalty of perjury that the foregoing is true and correct executed on 11/14/2024.

X 

Julien Simmons  
Petitioner pro se