

No.

24-6556

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

FEB 05 2025

**OFFICE OF THE CLERK
SUPREME COURT, U.S.**

Edward Farley — PETITIONER
(Your Name)

VS.
Ubiratan Marinho Jr
Prime Auto Center, LLC — 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):

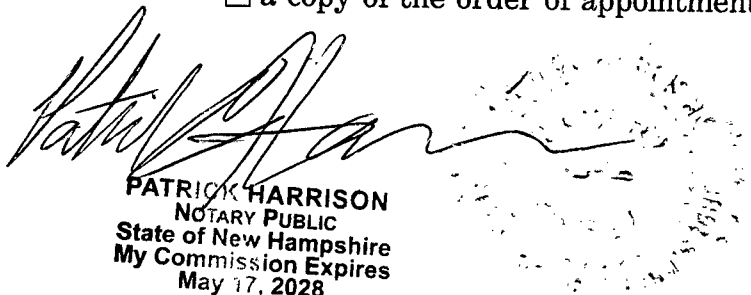
☒ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ 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.


PATRICK HARRISON
NOTARY PUBLIC
State of New Hampshire
My Commission Expires
May 17, 2028

(Signature)

RECEIVED

FEB 11 2025

**OFFICE OF THE CLERK
SUPREME COURT, U.S.**

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

I, Edward Farley, 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
<i>illegally terminated October 31, 2024</i> Employment	\$ <u>30,342</u>	\$ <u>n/a</u>	\$ <u>0.00</u>	\$ <u>n/a</u>
Self-employment	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Income from real property (such as rental income)	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Interest and dividends	\$ <u>57.20</u>	\$ <u>n/a</u>	\$ <u>5.60</u>	\$ <u>n/a</u>
Gifts	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Alimony	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Child Support	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Disability (such as social security, insurance payments)	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Unemployment payments	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Public-assistance (such as welfare)	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Other (specify): _____	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Total monthly income:	\$ <u>30,351</u>	\$ <u>n/a</u>	\$ <u>0.60</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
<u>Delta Air Lines</u>	<u>1030 Delta Blvd</u>	<u>May 19-1997</u>	<u>\$ 30,000</u>
	<u>Atlanta, GA</u>	<u>October 31, 2021</u>	<u>\$</u>
	<u>30354</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>N/A</u>			<u>\$</u>
			<u>\$</u>
			<u>\$</u>

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
<u>checking</u>	<u>\$ 22,000</u>	<u>\$ N/A</u>
<u>saving</u>	<u>\$ 15,000</u>	<u>\$</u>
	<u>\$</u>	<u>\$</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 \$983,000

☐ Other real estate
Value _____

☐ Motor Vehicle #1
Year, make & model 2015 VW Sportwagen
Value \$14,000

☒ Motor Vehicle #2
Year, make & model 2018 Audi A7
Value \$16,000

☒ Other assets
Description 2014 Mercedes 663, 2008 Freightliner Sprinter
Value \$55,000

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>100.00</u>	\$ <u>n/a</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>40.00</u>	\$ <u>n/a</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>170.00</u>	\$ <u>n/a</u>
Life	\$ <u>0.0</u>	\$ <u>n/a</u>
Health	\$ <u>0.0</u>	\$ <u>n/a</u>
Motor Vehicle	\$ <u>250</u>	\$ <u>n/a</u>
Other: <u>dog care</u>	\$ <u>200</u>	\$ <u>n/a</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0.0</u>	\$ <u>n/a</u>
Installment payments		
Motor Vehicle	\$ <u>0.0</u>	\$ <u>n/a</u>
Credit card(s)	\$ <u>350.00</u>	\$ <u>n/a</u>
Department store(s)	\$ <u>0.0</u>	\$ <u>n/a</u>
Other: _____	\$ <u>0.0</u>	\$ <u>n/a</u>
Alimony, maintenance, and support paid to others	\$ <u>n/a</u>	\$ <u>n/a</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>150.00</u>	\$ <u>n/a</u>
Other (specify): _____	\$ <u>0.0</u>	\$ <u>n/a</u>
Total monthly expenses:	\$ <u>3960.00</u>	\$ <u>n/a</u>

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>Delta Air Lines</u>	<u>\$ ~3,000,000</u>	<u>\$ n/a</u>
	<u>active OSHA complaint</u>	
	<u>\$</u>	<u>\$</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>n/a</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>\$ 800</u>	<u>\$ n/a</u>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	<u>\$ 850</u>	<u>\$ n/a</u>
Home maintenance (repairs and upkeep)	<u>\$ 200</u>	<u>\$ n/a</u>
Food	<u>\$ 500</u>	<u>\$ n/a</u>
Clothing	<u>\$ 150</u>	<u>\$ n/a</u>
Laundry and dry-cleaning	<u>\$ 150</u>	<u>\$ n/a</u>
Medical and dental expenses	<u>\$ 50</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.

see 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? _____

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

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

Executed on: February 4, 2025



PATRICK HARRISON
NOTARY PUBLIC
State of New Hampshire
My Commission Expires
May 17, 2028



(Signature)

No.

IN THE SUPREME COURT OF THE UNITED STATES

Edward Farley Petitioner

Vs

Ubiratan Marinho Jr. and Prime Auto Center, LLC

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* (CONTINUED)

QUESTION 9. The Petitioner has experienced once in a lifetime unexpected and illegal significant change in economic circumstances from October 2023-present, including an administration leave reduced pay since February 2024 and *illegal 27-year career employment termination October 31, 2024 (3 months ago)*. The Petitioner has zero income since and is understandably shocked to be in a foreseen financial economic status crisis where cash flow is well into emergency reserves with zero income. The Petitioner was planning the next 5 years of employment to finish additions and restorations for his home and save for retirement, that is all on hold, respectively. Thus, the Petitioner has an unfinished home and very little retirement as of now.

The Petitioner is involved in an open whistleblower case for reporting illegally toxic and illegally unsafe work environment as a captain at a major airline that not only significantly involves himself and his coworkers, but the matter also significantly impacts public safety as well. The Petitioner discovered his employer was illegally executing FAA endorsed training programs, manipulating records and illegal termination violating pilot contract. The stress and anxiety of the Petitioner is off the charts, yet through discipline, meditation and persistence, his actions will help make the skies safer. This shocking unprecedented abrupt economic impact cannot be minimized and has consumed the Petitioner's life. Respectively, the Petitioner has open relevant OSHA and FAA complaints/declarations respectively since May of 2024 with latest amended declaration including unlawful employment termination that was submitted within the last few weeks. These investigative matters take time that is not in the Petitioner's control.

OSHA has the authority to enforce the Petitioner's full employment restoration, including backpay. He is doing all he can to be patient of the process and fully

confident this will occur. **Yet in the current situation, the Petitioner is well into his emergency reserves cash flow and finds himself in a situation that warrants granting his Motion for Leave to Proceed in Forma Pauperis currently.**

QUESTION 12. For the reasons answered in question 9, the Petitioner's once in a lifetime dire straits emergency cash flow circumstances as a protected whistleblower in an employment termination matter is a very valid reason for his current situation regarding why he cannot pay the costs of this case. The Petitioner is very confident OSHA will use its authority to enforce his full employment recoveries, including back pay, at this time he is calculating available cash he has in emergency reserve to survive in the simplest of conservative terms pending a very confident OSHA direct outcome. Should this Court want documentation of his OSHA and FAA complaints/declarations and employment termination, he will be willing to provide. As everyone of us has the responsibility to standup for Constitutional and safety circumstances, without complete demolition of assets in this temporary footprint, **the situation warrants granting his Motion for Leave to Proceed in Forma Pauperis currently. The Petitioner is grateful for your full understanding and justified support in this very challenging yet very important times for the Petitioner and the public.**