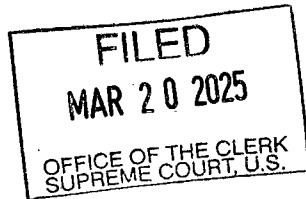


24-6854

ORIGINAL

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES



Austin Roger Carter — PETITIONER
(Your Name)

VS.

Genesis Alkali LLC, 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):

MONTANA Supreme Court, December 11, 2024
Supreme Court No. DA 24-0717, Not this case.

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.

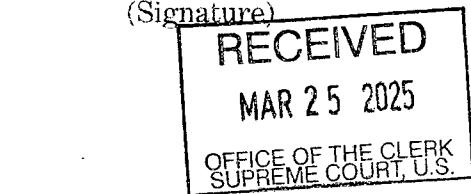
Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: _____
_____, or

a copy of the order of appointment is appended.

Austin R Carter

(Signature)



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

I, Austin Roger Carter, 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>0</u>	\$ <u>3,092⁸⁰</u>	\$ <u>0</u>	\$ <u>3,195²⁰</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>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>N/A</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>3,092⁸⁰</u>	\$ <u>0</u>	\$ <u>3,195²⁰</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
UNEMPLOYED	N/A	3/27/23 - 3/10/23	\$ 0
Magris Trac	767 Old Yellowtail Trl Three Forks, MT 59752	2/10/20 - 3/27/23	\$ 10,067.53
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.)

Employer	Address	Dates of Employment	Gross monthly pay
USDA, Farm Service	3 Whitetail Rd, Whitehall MT 59759	2/1/24 - present	\$ 3,195.20
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? \$ 145^{xx} (one forty five)

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
#1 Checking (Joint Acct)	\$ 0	\$ 1,262.32
#2 Checking (Joint Acct)	\$ 740.62	\$ 0
Savings	\$ 151.00	\$ 5.52

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

Home
Value \$ 520,225⁰⁰

Other real estate
Value \$ 87,314⁰⁰

Motor Vehicle #1
Year, make & model 2008, Chevy, Truck
Value \$ 5,000⁰⁰

Motor Vehicle #2
Year, make & model 2004, Jeep, Liberty
Value \$ 2,650⁰⁰

Other assets
Description 2009, Chevy, truck, 2007, Toyota, RAV4, 2009, Polaris, RZR.
Value \$ 8,800 combined 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>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</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>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<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>0</u>	\$ <u>0</u>
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)	\$ <u>110⁰⁰</u>	\$ <u>465.95</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>80⁰⁰</u>
Food	\$ <u>200⁰⁰</u>	\$ <u>498.76</u>
Clothing	\$ <u>20⁰⁰</u>	\$ <u>40⁰⁰</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>0</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>128⁰⁰</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 40 ⁰⁰	\$ 185 ⁰⁰
Recreation, entertainment, newspapers, magazines, etc.	\$ 31 ⁰⁰	\$ 177 ⁰⁰
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 112 ⁰⁵	\$ 195 ⁴⁸
Life	\$ 0	\$ 236 ⁶⁶
Health	\$ 0	\$ 419 ⁴²
Motor Vehicle	\$ 257 ⁸⁹	\$ 0
Other: <u>NONE</u>	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>STATE TAX (Property)</u>	\$ 312 ³⁹	\$ 83 ³³
Installment payments		
Motor Vehicle	\$ 0	\$ 0
Credit card(s)	\$ 0	\$ 0
Department store(s)	\$ 0	\$ 0
Other: <u>NONE</u>	\$ 0	\$ 0
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): <u>NONE</u>	\$ 0	\$ 0
Total monthly expenses:	\$ 1083²⁸	\$ 2498⁸⁴

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.

We live check to check and sometimes not even that. The court case has made me penniless, unemployable, and has drained all my retirement, 401K, etc. I have been selling off personal items to make ends meet, but am running low on things to sell.

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

Executed on: March 19, 2025

Notary:

Ladonna M. Knox
Ladonna M. Knox
3/19/2005

Austin R. Carter
(Signature)

