

24-6889  
No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

ORIGINAL

FILED  
MAR 18 2025

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

BENJAMIN LACOUNT II, *pro se* — PETITIONER

VS.

UNITED STATES OF AMERICA — RESPONDENT

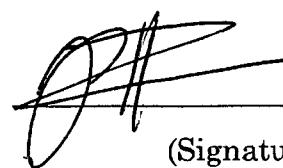
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**MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court: Texas Southern District Court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.



(Signature)

RECEIVED  
MAR 25 2025  
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SUPREME COURT, U.S.

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

I, Benjamin LaCount II, 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.

The average gross monthly income for my household is \$4,850, with \$4,200 coming from my VA disability payments and \$650 coming from my spouse's child support payments. This amount is the same amount we expect next month and in the future.

I have no employment history for the past two years and last worked in May 2020, after being released from active duty in the United States Marine Corps. My spouse also has no employment history for the past two years, as she has been acting as my caregiver without compensation.

We have approximately \$120 on hand and a negative net balance in our checking account with J.P. Morgan Chase Bank.

Our assets include our residence, with a purchase price of \$273,000 in 2024, my 2002 Chevrolet Avalanche 1500, with an estimated value of \$4,500, and my spouse's 2015 Ford Escape, with an estimated value of \$5,000. We have no other assets of significant value.

No person, business, or organization owes my spouse or I any amount of money.

We have three dependent children, S.B., K.L., and E.L., who are 11, 2, and 2 years old respectively.

Our monthly expenses total approximately \$8,000, itemized as follows:

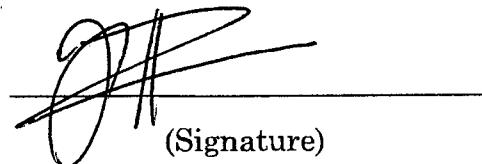
1. Rent, \$2100
2. Utilities, \$400
3. Home Maintenance, \$100
4. Food, \$1,000
5. Clothing, \$100
6. Laundry, \$100
7. Transportation, \$550
8. Entertainment, \$100
9. Health Insurance, \$250
10. Auto Insurance, \$150
11. Dental Insurance, \$ 150
12. Credit Card Installment Payments, \$2,000
13. Personal Loan, \$1,000

We do not expect any major changes to our monthly income, expenses, assets, or liabilities during the next 12 months.

I have and will not be paying an attorney or anyone other than an attorney any money for services in connection with this case, including completion of this form.

I am a 100% permanent and totally disabled veteran who relies on his spouse as a caregiver. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 17, 2025



(Signature)