

24-7354

No.

ORIGINAL

UT SC No. 20240329-SC

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

OCT 21 2024

OFFICE OF THE CLERK

Seth Stewart — PETITIONER
(Your Name)

VS.

American Fork City — 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.

Seth Stewart
(Signature)

RECEIVED

MAR 20 2025

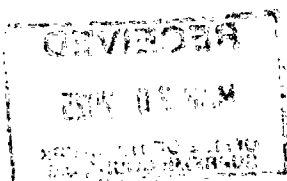
OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Seth Stewart, 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><10,000</u>	\$ <u>0</u>	\$ <u><10,000</u>	\$ <u>0</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>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u><10,000</u>	\$ <u>0</u>	\$ <u><10,000</u>	\$ <u>0</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
FamilySearch International	3201 Gorton Dr. Lehi, UT	Nov. 5 2018 - present	\$ 10,000
			\$
			\$

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			\$
			\$
			\$

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
checking	\$ 21,024	\$ 110.19
savings	\$ 4,995	\$ 0
	\$	\$

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

☒ Home
Value ~370k - 400k
(remaining mortgage bal. ~180k)

☐ Other real estate
Value \$6,000 likely overestimate - purchased @ \$1k in 2020

☒ Motor Vehicle #1
Year, make & model 2005 Ford F350 van
Value ~1800 - 2200

☒ Motor Vehicle #2
Year, make & model 2003 Chevrolet Venture
Value ~900

☒ Other assets
Description Computer hardware (used for self-employment & education)
Value 5000

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
N/A	\$ 0	\$ 0
	\$	\$
	\$	\$

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
J.S.	Son	9
J.S.	Son	8
I.S.	Son	5
E.S. B.S.	daughter daughter	3 1

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) <i>I think</i>	\$ 2250	\$ 0
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)	\$ 500-600	\$ 0
Home maintenance (repairs and upkeep)	\$ 1000	\$ <i>basement flood repairs due to defective walls (no means help)</i>
Food	\$ 700	\$
Clothing	\$ 50	\$
Laundry and dry-cleaning	\$ -	\$
Medical and dental expenses	\$ 450 <i>Lately greater w/ pregnancies</i>	\$

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>250-300</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>5</u>	\$ <u>0</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>-</u>	\$ <u>0</u>
Life	\$ <u>-</u>	\$ <u>0</u>
Health	\$ <u>10 -</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>180</u>	\$ <u>0</u>
Other: <u>property tax</u>	\$ <u>25</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ <u>0</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card(s)	\$ <u>0</u>	\$ <u>0</u>
Department store(s)	\$ <u>0</u>	\$ <u>0</u>
Other: _____	\$ <u>0</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>trying to start a business but no P&L yet.</u>	\$ <u>0</u>
Other (specify): <u>Storage unit</u>	\$ <u>170 + misc</u>	\$ <u>0</u>
Total monthly expenses:	\$ <u>4280</u>	\$ _____

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 5580
 AA

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 transcriber for appeals ct

If yes, how much? \$213.74

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

801-706-9635

4/5/2023

Carlton Way, CCR 1105 Montrose Ave Grover Beach CA 93433 Invoice No. 31479

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

We are not earning enough post-tax income to be able to afford a lawyer.
We are also paying ^{major} out of pocket to repair our basement after
flooding not remedied by insurance – only partly refunded.

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

Executed on: Friday, December 6, 2024, 2024

John Smith

(Signature)