

9
Case No _____

IN THE SUPREME COURT OF THE UNITED STATES

SUSAN ROSE, Petitioner,
v.
STATE OF UTAH, UTAH SUPREME COURT,
Respondents.

MOTION TO FILE IN FORMA PAUPERIS
AND
AFFIDAVIT/DECLARATION

Petitioner, Pro Se, In Forma Pauperis

Susan Rose
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Sandy, Utah 84092
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susan_rose@comcast.net

Respondents

State of Utah

Governor Herbert (officially only)
350 North State Street #200
Salt Lake City, Utah 84114-2220
(801) 538-1000

Utah Attorney General Sean Reyes
350 North State Street #230
Salt Lake City, Utah 84114-2320
(801) 366-0260

Utah State Court Administrator for and
In behalf of the **Utah Supreme Court**
-Honorable Chief Justice Mathew Durrant
-Honorable Ass. Chief Justice Robert Lee
-Honorable Justice Christine Durham
-Honorable Justice Constandinos Himonas
-Honorable John Pearce
(personally and officially)
3rd Floor Matheson Courthouse
450 S. State St.
Salt Lake City, Utah 84111 (801) 238-7967

Utah Legislature and Senate

Office of Legislative Research and General Counsel
John Q. Canon
210 House Building
State Capitol Complex
Salt Lake City, UT 84114
Phone 801.538.1032 Fax 801.538.1712

For the United States:

United States of America

United States Solicitor General, Department of Justice

Mr. Noel Fransisco

U.S. Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Department of Justice Main Switchboard: 202-514-2000

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*.

APPLICATION AND AFFIDAVIT

Please check the appropriate boxes:

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in this Court in association with filing an amicus brief.

☐ 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. (Signature)

AFFIDAVIT OR DECLARATION

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

I, Susan Rose 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>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Income from real property	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>

(such as rental income)

Interest and dividends	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Gifts	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Alimony	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Child Support	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>1080.81</u>	\$ <u>N/A</u>	\$ <u>SAME</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>	\$ _____	\$ <u>N/A</u>

Total monthly income: \$ 1080.81 \$ N/A \$ 1080.81 \$ 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 IPay
			\$
NO EMPLOYMENT			
\$ _____			\$

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 employ	Gross monthly pay
N/A			
\$ _____			\$
			\$

4. How much cash do you ~~and your spouse~~ have? \$ About 200 dollars
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	\$ <u>about 500 dollars</u>	\$ <u>n/a</u>
	\$ _____	\$ _____
	\$ _____	\$ _____

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

D Home	D Other real estate
Value <u>0</u>	Value <u>0</u>
D Motor Vehicle #1	D Motor Vehicle #2
Year, make & model <u>0</u>	Year, make & model <u>0</u>
Value _____	Value _____
D Other assets	
Description <u>0</u>	
Value _____	

6. State every person, business, or organization owing you or ~~your spouse~~ money, and the amount owed. 0

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
0	0	n/a

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
0	0	0

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.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	☒ No ☐ No	\$ <u>N/A</u>
Are real estate taxes included?	☐ Yes	
Is property insurance included?	☐ Yes	

Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ABT \$200_____	\$_____ N/A_____
Home maintenance (repairs and upkeep)	\$_____ ABT \$35_____	\$_____ N/A_____
Food (CELIAC -GLUTEN FREE FOOD)	\$_____ ABT 350_____	\$_____ N/A_____
Clothing	\$_____ ABT \$65_____	\$_____ N/A_____
Laundry and dry-cleaning	\$_____ ABT 30_____	\$_____ N/A_____
Medical and dental expenses	\$_____ ABT 75_____	\$_____ N/A_____
Transportation (not including motor vehicle payments)	\$_____ abt \$50_____	\$_____ N/A_____
Recreation, entertainment, newspapers, magazines, etc.	\$_____ abt \$50_____	\$_____ N/A_____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$_____ 0_____	\$_____ N/A_____
Life	\$_____ 0_____	\$_____ N/A_____
Health	\$_____ abt \$300_____	\$_____ N/A_____
Motor Vehicle	\$_____ 0_____	\$_____ N/A_____
Other: _____ 0_____	\$_____ 0_____	\$_____ N/A_____
Taxes (not deducted from wages or included in mortgage payments)	0	N/A

Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>0</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) BAR LETTER	\$ <u>ABT \$45</u>	N/A \$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
Total monthly expenses: (specify): _____ Installment payments	\$ <u>0</u>	\$ <u>N/A</u>
	\$ <u>ABT 1200 +/- 50 DOLLARS</u>	\$ <u>N/A</u>

Total monthly expenses.

ATTACHMENTS: - LETTER OF SOCIAL SECURITY BENEFITS
--B AR LICENSE LETTER FOR BAR FEES

-THE ARTICLE PUBLISHED BY THE SALT LAKE TRIBUNE. THE UTAH SUPREME COURT'S WIFE IS THE EDITOR.

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

D Yes X 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?

D Yes X No

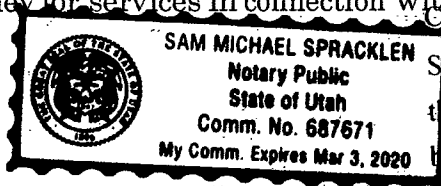
If yes, how much? _____

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?

D Yes X No

If yes, how much? _____



Subscribed and sworn/affirmed to before me this 4 day of December 2017 by UT DL

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

Sam Spracklen
Notary Public

12. Provide any other information that will help explain why you cannot pay commissions for this case.

UTAH STATE PUBLIC DISBARMENT PROCESSES ELIMINATED MY USE OF MY PROFESSIONAL LICENSE AND NAME AND REPUTATION IN ANY PROFESSION REQUIRING HONESTY AND FIDUCIARY DUTIES.

--UTAH SUPREME COURT JUSTICE PEARCE'S WIFE IS THE EDITOR OF THE SALT LAKE TRIBUNE. THE PAPER PUBLISHED A HORRIBLE ARTICLE ESSENTIALLY BLACKLISTING ME FROM HELP OF ANY KIND.

---THIS PUBLIC PROCESS HAS ELIMINATED TRAINING AND EMPLOYMENT OPPORTUNITIES FOR USING MY EDUCATION.

-- MY ALLEGED ORIGINAL "CRIME" WAS USING FREE SPEECH FOR MY CLIENTS IN NON STATE COURT JURISDICTIONS AND LAW. I PERSISTED IN ASKING FOR THE ONLY UTAH COURT WITH AUTHORITY OVER THEIR PROSECUTOR TO TELL ME HOW IT HAD JURISDICTION OVER "IN COURT" SPEECH IN NAVAJO AND FEDERAL COURTS, HOW UTAH COURTS CAN DEFINE NAVAJO JURISDICTION, HOW IT COULD USE UNCONSTITUTIONAL RULES, HOW THE PROSECUTOR COULD VIOLATE THOSE RULES AND NOT BE RESTRAINED. ALL UNANSWERED FOR TEN YEARS UNTIL NOW. BECAUSE THERE IS NO ONE, OR NO OTHER BRANCHES OF GOVERNMENT, IN UTAH, TO MAKE THEM RESPECT FEDERAL SUPREMACY.

THE POINT OF THIS APPEAL, I declare under penalty of perjury that the foregoing is true and correct. Executed on: Dec 4, 2017

To me, I do
Relief and Knowledge
Susan Rose