

ORIGINAL

No. _____

Supreme Court, U.S.
FILED

NOV 16 2017

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Juliette Fairley — PETITIONER

In Re: The Guardianship of James Fairley

in Annicette FAIRLEY - Respondent
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.

Juliette Fairley
(Signature)

RECEIVED

SEP 19 2017

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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

I, Subell Mikul, 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>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Self-employment	\$ <u>3,600</u>	\$ <u>N/A</u>	\$ <u>3,600</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>N/A</u>	\$ <u>0</u>	\$ <u>N/A</u>
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>0</u>	\$ <u>N/A</u>	\$ <u>0</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>0</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>3,600</u>	\$ <u>N/A</u>	\$ <u>3,600</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
SELF EMPLOYED	Home Office	on going since 2001	\$ Avg 2500 per month
N/A	N/A	N/A	\$ N/A
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
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ N/A
N/A	N/A	N/A	\$ 1750 a month

4. How much cash do you and your spouse have? ~~\$ 2500~~ \$ 1750 a month
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
BAA Bank	Dream account	\$ 921.65	\$ N/A
Citi	checking	\$ 782.85	\$ N/A
CHASE	checking	\$ 45.58	\$ N/A

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

☐ Home Value <u>N/A</u>	☐ Other real estate Value <u>N/A</u>
☐ Motor Vehicle #1 Year, make & model <u>N/A</u> Value <u>N/A</u>	☐ Motor Vehicle #2 Year, make & model <u>N/A</u> Value <u>N/A</u>
☐ Other assets Description <u>N/A</u> Value <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

N/A
N/A
N/A

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

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

7. State the persons who rely on you or your spouse for support.

Name

Relationship

Age

No dependents
N/A
N/A

N/A
N/A
N/A

N/A
N/A
N/A

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)

\$ 600

\$ N/A

Are real estate taxes included? ☐ Yes ☒ No

Is property insurance included? ☐ Yes ☒ No

Utilities (electricity, heating fuel, water, sewer, and telephone)

\$ 500

\$ N/A

Home maintenance (repairs and upkeep)

\$ 100

\$ N/A

Food

\$ 700

\$ N/A

Clothing

\$ ~~500~~ 600

\$ N/A

Laundry and dry-cleaning

\$ 100

\$ N/A

Medical and dental expenses

\$ 250

\$ N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 150	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 200	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ N/A	\$ N/A
Life <u>Disability</u>	\$ 450	\$ N/A
Health	\$ 164	\$ N/A
Motor Vehicle <u>ID THEFT</u>	\$ 8.00	\$ N/A
Other: <u>Professional ETD</u>	\$ 67.00	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Estimated quarterly ARE</u>	\$ 1,000	\$ N/A
Installment payments		
Motor Vehicle	\$ N/A	\$ N/A
Credit card(s)	\$ 399	\$ N/A
Department store(s)	\$ N/A	\$ N/A
Other: <u>Legal</u>	\$ 1,500	\$ N/A
Alimony, maintenance, and support paid to others	\$ N/A	\$ N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 1,125	\$ N/A
Other (specify): _____	\$ -	\$ -
Total monthly expenses:	\$ 5,318	\$ N/A

Average Expenses Per Month for Operation of Editorial Business

Postage/Fed Ex	\$50
----------------	------

Transcriptionist	\$300
------------------	-------

Professional Development	\$150
--------------------------	-------

Supplies	\$50
----------	------

Website/Internet	\$50
------------------	------

Copies	\$25
--------	------

Biz Travel	\$150
------------	-------

Books/Magazines	\$25
-----------------	------

Equipment/Repair	\$75
------------------	------

Promotion of Business	\$250
-----------------------	-------

Total	\$1,125
-------	---------

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? W/1A

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? 856.00

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

PHP
10 E. 39 ST 212-719-0990
NY, NY

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

Please SEE attached NOTARIZED statement

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

Executed on: NOV. 15, , 2017


(Signature)

I, Juliette Fairley, am a federally-certified disadvantaged business enterprise (d/b/e) with NYSUCP who works as a freelance writer, editor and researcher. I have written for various publications including the New York Times, The Street, Pacer Monitor and many other publications. (See attached)

I request Forma Pauperis status due to:

- 1) As an independent journalist, the contracts I receive vary month to month, causing fluctuations in my income.
- 2) Filing a U.S. Supreme Court Petition for Review (Certari) requires multiple copies of not only the brief but also the appendix, which are required to be formatted at 6 x 9. This special formatting significantly inflates the price of each brief and appendix that legal printers prepare when typesetting and reproducing copies for the U.S. Supreme Court's review.

Juliette Fairley

*Subscribed and sworn to before me
this 11th day of September 2017*

Enza M. Cusenza

