

No. \_\_\_\_\_

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

John Smith — PETITIONER

VS.

Lora J. Smith — 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):

\_\_\_\_\_  
Eleventh Circuit Court of the State of Missouri  
Eighth Circuit Federal District Court  
\_\_\_\_\_

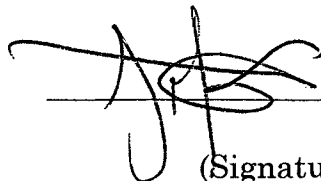
☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ 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: \_\_\_\_\_

☐ 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, John J. Smith, 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<br>during<br>the past 12 months |               | Amount expected<br>next month |               |
|-------------------------------------------------------------------------------|--------------------------------------------------------|---------------|-------------------------------|---------------|
|                                                                               | You                                                    | Spouse        | You                           | Spouse        |
| Employment                                                                    | \$ <u>N/a</u>                                          | N/a           | N/a                           | \$ <u>N/a</u> |
| Self-employment                                                               | \$ <u>0</u>                                            | N/a           | 0                             | N/a           |
| Income from real property<br>(such as rental income)                          | \$ _____                                               | \$ <u>N/a</u> | \$ <u>0</u>                   | N/a           |
| Interest and<br>dividends                                                     | \$ _____                                               | \$ <u>N/a</u> | 0                             | n/a           |
| Gifts                                                                         | \$ <u>0</u>                                            | N/a           | 0                             | N/a           |
| Alimony                                                                       | \$ <u>0</u>                                            | N/a           | 0                             | N/a           |
| Child Support                                                                 | \$ <u>0</u>                                            | N/a           | 0                             | N/a           |
| Retirement (such as social<br>security, pensions,<br>annuities,<br>insurance) | \$ <u>0</u>                                            | N/a           | 0                             | N/a           |
| Disability (such as social<br>security, insurance payments)                   | \$ <u>3562.83</u>                                      | <u>N/A</u>    | \$ <u>3562.83</u>             | <u>N/A</u>    |
| Unemployment payments                                                         | \$ <u>N/A</u>                                          | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |
| Public-assistance<br>(such as welfare)                                        | \$ <u>N/A</u>                                          | \$ <u>N/A</u> | \$ <u>N/A</u>                 | \$ <u>N/A</u> |

Other (specify): \_\_\_\_\_ \$ N/A \$ N/A \$ N/A \$ N/A

N/a

**Total monthly income:** \$ 3562.83 \$ 3562.83 \$ 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 pay |
|----------|---------|---------------------|-------------------|
| 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 \$            |
|          |         |                     | \$                |
|          |         |                     | \$                |

4. How much cash do you and your spouse have? \$ 158.10  
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 USBANK |                  |
|                       | Checking                      | \$ <u>10.46</u>  |
|                       | Checking                      | \$ <u>20.76</u>  |
|                       | Checking                      | \$ <u>126.88</u> |

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

|                               |                                            |
|-------------------------------|--------------------------------------------|
| <input type="checkbox"/> Home | <input type="checkbox"/> Other real estate |
| Value <u>N/a</u>              | Value <u>N/a</u>                           |

|                                           |                                           |
|-------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> Motor Vehicle #1 | <input type="checkbox"/> Motor Vehicle #2 |
| Year, make & model <u>N/a</u>             | Year, make & model                        |
| <u>N/a</u>                                | Value                                     |
| Value                                     |                                           |

☐ Other assets

Description N/a

Value

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

| Person owing you<br>or your spouse<br>money | Amount owed to you<br>spouse | Amount owed to your |
|---------------------------------------------|------------------------------|---------------------|
|---------------------------------------------|------------------------------|---------------------|

|       |            |              |
|-------|------------|--------------|
| _____ | \$ 0 _____ | \$ N/a _____ |
| _____ | \$ _____   | \$ _____     |
| _____ | \$ _____   | \$ _____     |

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

| Name              | Relationship        | Age   |
|-------------------|---------------------|-------|
| Elizabeth Smith   | Daughter (disabled) | 29    |
| Evangeline Murray | Granddaughter       | 11    |
| _____             | _____               | _____ |
| _____             | _____               | _____ |

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<br>(include lot rented for mobile home)                               | \$ 350.00 _____ | \$ N/A _____ |
| 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,<br>water, sewer, and telephone)                               | \$ 961.35 _____ | \$ N/A _____ |
| Home maintenance (repairs and<br>upkeep)                                                            | \$ 300 _____    | \$ N/A _____ |
| Food                                                                                                | \$ 500 _____    | \$ N/A _____ |
| Clothing                                                                                            | \$ 30 _____     | \$ N/A _____ |
| Laundry and dry-cleaning                                                                            | \$ 30 _____     | \$ N/A _____ |
| Medical and dental expenses                                                                         | \$ 150 _____    | \$ N/A _____ |

|                                                                                             | You               | Your spouse   |
|---------------------------------------------------------------------------------------------|-------------------|---------------|
| Transportation (not including motor vehicle payments)                                       | \$ <u>144.22</u>  | \$ <u>1</u>   |
| Recreation, entertainment, newspapers, magazines, etc.                                      | \$ <u>50</u>      | \$ <u>1</u>   |
| Insurance (not deducted from wages or included in mortgage payments)                        |                   |               |
| Homeowner's or renter's                                                                     | \$ <u>105</u>     | <u>N/A</u>    |
| Life                                                                                        | \$ <u>0</u>       | \$ <u>N/A</u> |
| Health                                                                                      | \$ <u>131</u>     | \$ <u>N/A</u> |
| Motor Vehicle                                                                               | \$ <u>186</u>     | \$ <u>N/A</u> |
| Other: _____                                                                                | \$ <u>0</u>       | \$ <u>N/A</u> |
| Taxes (not deducted from wages or included in mortgage payments)                            |                   |               |
| (specify): <u>Income Tax and personal property tax</u>                                      | \$ <u>50</u>      | \$ <u>N/A</u> |
| Installment payments                                                                        |                   |               |
| Motor Vehicle                                                                               | \$ <u>0</u>       | \$ <u>N/A</u> |
| Credit card(s)                                                                              | \$ <u>125.00</u>  | \$ <u>N/A</u> |
| Department store(s)                                                                         | \$ <u>N/A</u>     | \$ <u>N/A</u> |
| Other: _____                                                                                | \$ <u>N/A</u>     | \$ <u>N/A</u> |
| Alimony, maintenance, and support paid to others                                            | \$ <u>950</u>     | \$ <u>N/A</u> |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | \$ <u>0</u>       | \$ <u>N/A</u> |
| Other (specify): _____                                                                      | \$ <u>0</u>       | \$ <u>N/A</u> |
| <b>Total monthly expenses:</b>                                                              | \$ <u>3514.57</u> | \$ _____      |

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? \$50 (Transcripts estimated over time)

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

Robert Hull  
Hull Reporting  
834 Madison St, Saint Charles, MO 63301  
(636) 946-1354

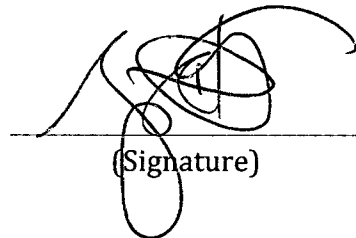
12. Provide any other information that will help explain why you cannot pay the costs of this case.

I am disabled and my income is fixed. I am caring for my daughter who is going through the disability process as well as her daughter age 11. There have been many times when I must choose between food or medication. My total net income per month is \$2404 and I have a shortfall each month which I put on my \$800 in credit cards. I have over \$100,000 dollars owed to the government for taxes and

penalties and I am working with the IRS to address this matter. The home I live in was purchased as is and requires much work. As the only income provider, these expenses fall to me. So far I have spent over \$3,000 in required repairs including replacing the entire water system. I have also paid for materials for repair such as flooring, kitchen cabinets, roof repair and all utilities. This is over a three year period. If the Court denied this application, it will be an undue hardship for me to pay the costs associated with my Pro Se Petition for Certiorari as I have little to no discretionary income above and beyond my net income and have a negative net worth and insolvent.

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

Executed on: November 19, 2017

  
\_\_\_\_\_  
(Signature)