

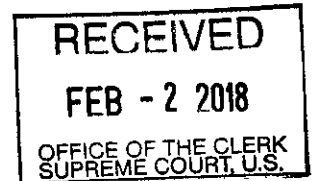
No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JOSEPH DANIEL PIRESTANI — PETITIONER
(Your Name)

VS.

KEVIN J. REAGAN et al. — 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):

The Supreme Court of the State of Delaware

The Court of Chancery of the State of Delaware

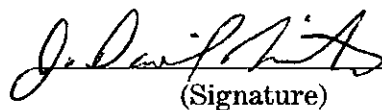
☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ 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: _____
Not applicable (N/A) _____, 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, Joseph Daniel Pirestani, 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>0</u>	\$ <u>0</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>0.02</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>257.75</u>	\$ <u>20.83</u>	\$ <u>316.00</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>1,773.13^a</u>	\$ <u>0</u>	\$ <u>1,805.00^a</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>Residual payments^b</u>	\$ <u>0</u>	\$ <u>5.58</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>257.75</u>	\$ <u>1,799.56</u>	\$ <u>316.00</u>	\$ <u>1,805.00</u>

SEE ATTACHED SHEET FOR FOOTNOTES

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	13 Ridge Avenue	3/22/2016-1/18/2017	\$100.63 (average)
	Newark, DE 19711		\$
			\$

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
None	Not applicable (N/A)	N/A	\$ N/A
			\$
			\$

4. How much cash do you and your spouse have? \$26.88
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	\$ 67.46	\$ None
Checking (I am representative payee)	\$ None	\$144.31
Checking (Kevin J. Reagan is trustee)	\$ None	\$339.65 as of 1/29/2018 ^c

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

☐ Home
Value N/A

☐ Other real estate
Value N/A

☒ Motor Vehicle #1
Year, make & model 1998 Toyota Camry
Value \$1,714^d

☒ Motor Vehicle #2
Year, make & model 2005 Kia Sedona
Value \$100 (estimate)^e

Two decent computers; many books; decorative items; extra
☒ Other assets furniture; all-in-one printer; iPad; and various other items,
Description each having an estimated value of less than \$40.
Value \$1,800 total (estimate)

SEE ATTACHED SHEET FOR FOOTNOTES

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
Possibly Kevin J. Reagan	\$ None	\$ Possibly \$6,200 ^f
	\$	\$
	\$	\$

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
Deborah Pirestani ^g	My wife	62

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)	\$ None ^h	\$ 490.00
Are real estate taxes included? ☐ Yes ☒ No		
Is property insurance included? ☐ Yes ☒ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ None ^h	\$ None ^h
Home maintenance (repairs and upkeep)	\$ 1.00	\$ 13.00
Food	\$ 150.00	\$ 300.00
Clothing	\$ None ^h	\$ 4.00
Laundry and dry-cleaning	\$ 0.25	\$ 1.00
Medical and dental expenses	\$ 0.50	\$ 350.54 ⁱ

SEE ATTACHED SHEET FOR FOOTNOTES

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 20.00	\$ 75.00
Recreation, entertainment, newspapers, magazines, etc.	\$ None ^j	\$ 474.54 ^k
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ None	\$ None
Life	\$ None	\$ None
Health	\$ None	\$ None
Motor Vehicle	\$ None ^j	\$ 38.28
Other: None	\$ N/A	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): None	\$ N/A	\$ N/A
Installment payments		
Motor Vehicle	\$ None	\$ None
Credit card(s)	\$ None ^j	\$ None
Department store(s)	\$ None	\$ None
Other: Trash and recycling service	\$ None ^j	\$ 12.25
Alimony, maintenance, and support paid to others	\$ None	\$ None
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ None	\$ None
Other (specify): Email software and legal-related expenses ^l	\$ 65.00	\$ 1.47
Total monthly expenses:	\$ 236.75	\$ 1,760.07

SEE ATTACHED SHEET FOR FOOTNOTES

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.

N/A

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? N/A

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

N/A

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? N/A

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

N/A

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

Because I am the representative payee for my wife's social security income, none of her social security income can be spent on me.

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

Executed on: January 30, 2018


(Signature)

Joseph Daniel Pirestani

Footnotes for "AFFIDAVIT OR DECLARATION IN SUPPORT OF MOTION FOR
LEAVE TO PROCEED IN FORMA PAUPERIS"

Question No.1:

^aGross social security benefit before Medicare Part B and Part D premium deductions.

^bFor apparent past motion picture performance(s).

Question No. 4:

^cAccording to an email I received from Kevin J. Reagan on 1/29/2018.

Question No. 5:

^dKelly Blue Book Private Party Value

^eThe Kia Sedona has a serious problem with its radiator and cannot be driven far before overheating.

Question No. 6:

^fFor apparent misspending of \$6,200 of my wife's trust money.

Question No. 7:

^gThe support I provide is caregiving (non-financial), including supervision essentially 24 hours a day.

Question No. 8:

^hMy parents pay for my part of the rent, my clothing, and both my and my wife's utilities.

ⁱIncludes Medicare Part B and Part D premiums.

^jMy parents pay for my portion of the Xfinity television and Internet services, my portion of the car insurance expense, payments (usually monthly) to a credit card (Credit One) for me, and my portion of the trash and recycling expense.

^kFor my wife Deborah Pirestani this includes smoking roughly a pack and a half of cigarettes per day.

^lLegal-related expenses include office supplies, mailing costs, notarizations, and Dropbox online file storage.