

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

CHARLES M CERNY Co-PETITIONER PETITIONER
(Your Name)

VS.

US SECURITIES + EXCHANGE
COMMISSION — 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.


(Signature) MARCH 28 2018

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

I, CHARLES M. CERNY, 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>5242-</u>	\$ _____	\$ <u>5582-</u>	\$ _____
Self-employment	\$ _____	\$ <u>830-</u>	\$ _____	\$ <u>350-</u>
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ <u>5242-</u>	\$ <u>830-</u>	\$ <u>5582-</u>	\$ <u>350-</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
AECOM	4840 COX ROAD GLEN ALLEN VA 22060	3/2016 - PRESENT	\$ 5582-
			\$
			\$

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
SELF	HOME 2211 BRAGG ST 36 BKLYN NY 11229	6 YEARS	\$ 800-
			\$
			\$

4. How much cash do you and your spouse have? \$ 11600-
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
CHASE	SAVINGS (JOINT)	\$ 5000-	\$
CHASE	CHECKING (JOINT)	\$ 2800-	\$
TD BANK	CHECKING	\$ 3800-	\$ 500-

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

☒ Home (COOP)
Value 150,000-

☐ Other real estate
Value

☒ Motor Vehicle #1 2001
Year, make & model SUZUKI ESTEEM
Value \$2000

☒ Motor Vehicle #2 2016 VW PASSAT
Year, make & model
Value \$12000

☒ Other assets
Description WEDDING JEWELRY
Value 10,000

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	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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

Name	Relationship	Age
MATTHEW CERNY	SON	16
ANDREW CERNY	SON	14
_____	_____	_____

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)	\$ 950-	\$ _____
Are real estate taxes included? ☒ Yes ☐ No		
Is property insurance included? ☐ Yes ☒ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 250-	\$ _____
Home maintenance (repairs and upkeep) <i>AVG OVER LAST 12 MOS.</i>	\$ 1250-	\$ _____
Food	\$ 850-	\$ _____
Clothing	<i>(REPAIRS OVER GOLF FEES)</i> \$ 300-	\$ _____
Laundry and dry-cleaning	\$ 90-	\$ _____
Medical and dental expenses	\$ 275-	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>150-</u>	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>150-</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>40-</u>	\$ _____
Life	\$ <u>20-</u>	\$ _____
Health	\$ <u>150-</u>	\$ _____
Motor Vehicle	\$ <u>267-</u>	\$ _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ <u>179-</u>	\$ _____
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ <u>85-</u>
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____
Total monthly expenses:	\$ <u>7911-</u>	\$ <u>85-</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? _____

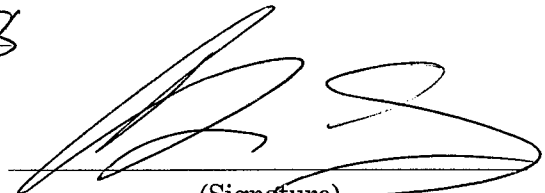
If yes, state the person's name, address, and telephone number:

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

PRIOR TO THE CURRENT EMPLOYMENT, I HAD VERY MODEST INCOME. MY FAMILY IS JUST BEGINNING TO GET ON IT'S FEET. HOWEVER, THE CHILDREN WILL BE ATTENDING COLLEGE WITHIN A YEAR OR THREE (WE HAVE ONLY MODEST AMOUNTS PUT AWAY FOR THAT)

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

Executed on: MARCH 12, 2018


(Signature)

ALTHOUGH I AM KEEPING AFLOAT, MY CO-PETITIONER (MR. BOXBAUM) HAS VERY LIMITED INCOME + I ASK FOR SPECIAL CONSIDERATION FROM THE COURT FOR HIS SHARE OF EXPENSES.

THANK YOU

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Cliff Buxbaum Co-Petitioner

(Your Name) — PETITIONER

VS.
United States Securities & Exchange Commission

— 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.

Cliff Buxbaum 3/24/18
D (Signature)

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

I, CLIFF BUXBAUM, 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>2000-</u>	\$ <u>1200-</u>	\$ <u>2000-</u>
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ _____	\$ _____	\$ _____	\$ _____
Disability (such as social security, insurance payments)	\$ <u>1200-</u>	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
Total monthly income:	\$ <u>1200-</u>	\$ <u>2000-</u>	\$ <u>1200-</u>	\$ <u>2000-</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	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____

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

Name	Relationship	Age
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)	\$ _____	\$ 1430-
Are real estate taxes included? ☒ Yes ☐ No		
Is property insurance included? ☒ Yes ☐ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 450-	\$ _____
Home maintenance (repairs and upkeep)	\$ 100-	\$ _____
Food	\$ _____	\$ 500-
Clothing	\$ 100-	\$ _____
Laundry and dry-cleaning	\$ 50-	\$ _____
Medical and dental expenses	\$ _____	\$ 50-

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ _____	\$ <u>150-</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>N/A</u>	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ _____	\$ _____
Life	\$ <u>400-</u>	\$ _____
Health	\$ _____	\$ <u>350-</u>
Motor Vehicle	\$ <u>100-</u>	\$ _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ <u>N/A</u>	\$ _____
Credit card(s)	\$ <u>N/A</u>	\$ _____
Department store(s)	\$ <u>N/A</u>	\$ _____
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____
Total monthly expenses:	\$ <u>1200-</u>	\$ <u>2480-</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
T.J. MAXX	THOUSAND OAKS CA	10+ YEARS	\$ 2000-
			\$
			\$

3. List your ^{PERMANENT} 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? \$ 20,100 ⁰⁰
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
BANK OF AMERICA	CHECKING	\$ 100 -	\$ 20,000 -
		\$	\$
		\$	\$

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

☒ Home Value 75000- ☐ Other real estate Value

☒ Motor Vehicle #1 Year, make & model 1998 BMW 740IL Value 1000 ☒ Motor Vehicle #2 Year, make & model 2001 HYUNDAI SONATA Value 2000-

☒ Other assets Description WEDDING JEWELRY Value 3000-

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? _____

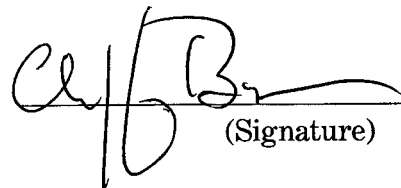
If yes, state the person's name, address, and telephone number:

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

WE REFINANCED OUR HOUSE + PUT THE PROCEEDS IN CHECKS
TO SUPPLEMENT OUR INCOME WE EXPECT OUR BANK BALANCE
TO DISSIPATE OVER THE NEXT COUPLE OF YEARS.

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

Executed on: MARCH 11, 2018


(Signature)