

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Sean M. Donahue — PETITIONER
(Your Name)

VS.

Commonwealth of Pennsylvania — 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):

US District Court, Middle District of Pennsylvania, Common Please Court of Dauphin County, PA
Pennsylvania Supreme Court, Pennsylvania Superior Court, Pennsylvania Commonwealth 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: _____, or

☐ a copy of the order of appointment is appended.

Sean M. Donahue
(Signature)

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

I, Sean M. Donahue, 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>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Self-employment	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Income from real property (such as rental income)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Interest and dividends	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Gifts	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Alimony	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Child Support	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Unemployment payments	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Public-assistance (such as welfare)	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Other (specify): <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Total monthly income:	\$ <u>0.00</u>	\$ <u>N/A</u>	\$ <u>0.00</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
None	N/A	N/A	\$ N/A
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

4. How much cash do you and your spouse have? \$ 0.00
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
N/A	N/A	\$ N/A	\$ N/A
N/A	N/A	\$ N/A	\$ N/A
N/A	N/A	\$ N/A	\$ 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 N/A	☐ Other real estate Value N/A
☐ Motor Vehicle #1 Year, make & model N/A Value N/A	☐ Motor Vehicle #2 Year, make & model N/A Value N/A
☐ Other assets Description N/A Value N/A	

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
None	\$ 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
N/A	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)	\$ 0.00	\$ N/A
Are real estate taxes included? ☐ Yes ☐ No		
Is property insurance included? ☐ Yes ☐ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0.00	\$ N/A
Home maintenance (repairs and upkeep)	\$ 0.00	\$ N/A
Food	\$ 0.00	\$ N/A
Clothing	\$ 0.00	\$ N/A
Laundry and dry-cleaning	\$ 0.00	\$ N/A
Medical and dental expenses	\$ 0.00	\$ N/A

(VA Hospital charges \$0.00 due to unemployment.

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 0.00	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 0.00	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 0.00	\$ N/A
Life	\$ 0.00	\$ N/A
Health	\$ 0.00	\$ N/A
Motor Vehicle	\$ 0.00	\$ N/A
Other: N/A	\$ 0.00	\$ N/A
Taxes (not deducted from wages or included in mortgage payments)		
(specify): N/A	\$ 0.00	\$ N/A
Installment payments		
Motor Vehicle	\$ 0.00	\$ N/A
Credit card(s)	\$ 0.00	\$ N/A
Department store(s)	\$ 0.00	\$ N/A
Other: fines, fees and costs	\$ 12.75	\$ N/A
(My father gives me \$12.75 / month for fines, fees and costs)		
Alimony, maintenance, and support paid to others	\$ 0.00	\$ N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0.00	\$ N/A
Other (specify): (a) \$200,000 Government Student Loans (b) \$340,000 Private Student Loans	(a) \$0.00 (b) \$0.00	N/A N/A
Total monthly expenses:	\$ 12.75	\$ N/A

Footnote *

- (a) (\$0.00 due to unemployment)
- (b) (In long-term dispute)

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.

Every time I get close to getting a professional government job, PA state labor department personnel and/or federal hiring personnel in PA impede my ability to get hired. I have filed numerous veteran preference complaints against PA state and federal agencies. Even when the MSPB finds that I was denied my right to compete, the agencies find a way around hiring me. The only job interviews I get are the ones that I force through state and federal veterans preference complaints. ***** Continued in Attachment *****

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

Executed on: April 2, 20 18

Sean M. Pombo

(Signature)

Supreme Court of the United States

Sean M. Donahue

VS.

Commonwealth of Pennsylvania

*****Continued from IFP Application Question 12*****

Every time I get close to getting a professional government job, PA state labor department personnel and/or federal hiring personnel in PA impede my ability to get hired. I have filed numerous veteran preference complaints against PA state and federal agencies. Even when the MSPB finds that I was denied my right to compete or I compel an interview using state veterans preference, the agencies find ways around hiring me. The only job interviews I get are the ones that I force through state and federal veterans preference complaints.

In the instant case, the PA labor department filed criminal charges against me as a means of manufacturing a fake justification to remove me from the top of the Pennsylvania civil service hiring list for a job as a Disability Claims Adjudicator Trainee. Ninety people who were not veterans were hired into this good job. Yet, I was passed over when I should have been hired first.

As an honorably discharged veteran, I should have been hired in the first hiring round because the Pennsylvania's Civil Service Act and Pennsylvania's veterans preference laws say so. Yet, I wasn't even interviewed for the job until I discovered, through the use of state Right to Know requests, that hiring from the list that I was at the very top of had already been completed. When I discovered this circumstance, I immediately filed a state level veterans preference complaint to force a job interview. My pro se veterans preference complaint served to block the hiring list, meaning that the state labor department could not legally hire any of the other ninety people they had already hired until it either hired me first or until it got my name removed from the civil service hiring list. The only way to legally get me off the list was to file a criminal charge against me and to get me convicted.

Prior to finalizing the criminal charges, the PA state Labor Department and PA State Capitol Police attempted to make me testify at a Civil Service Commission tribunal hearing, where I would have been without the benefit of an attorney and also without the right to silence in the face of criminal allegations. What is more, an American citizen cannot be tried in an administrative tribunal on criminal allegations. Absent an attorney and given Pennsylvania's blatant abuse of an administrative law tribunal, I boycotted the hearing and lost for that reason. I was only willing to go to the civil service hearing if the state appointed an attorney to represent me. Because the civil service hearing is not a formal criminal court, they refused to provide me with an attorney. Yet, they continued to make criminal allegations against me via the civil service disciplinary system. I found this frustrating because I am not a civil servant and because I am unemployed, as I was at the time of the civil service hearing. The Civil Service matter is still before the Commonwealth Court of Pennsylvania in Docket No. 621-CD-2015.

Since I have completed graduate school, the federally funded state unemployment office has refused to assist me in attaining a professional state civil service job in my community or any other professional jobs. Many of the professional government jobs that exist in my home county are somehow tied to the Pennsylvania state labor department. I reluctantly considered high skilled labor work because the salaries may have been high enough to help pay student loans but the PA state labor department refused to pay for me to get training for a highly skilled jobs. Because I lacked the resources to pay for such training myself and because the state labor department refused to help me get a professional job, I remained unemployed. I have been living with my parents ever since I graduated from graduate school. I am too old now to start a labor career. The labor work in factories and distribution centers is too hard. I cannot keep up with machines or with the young people trying to do the same.

The PA state labor department's economic development strategy is to rest the economy on the shoulders of young Americans and illegal immigrants who perform backbreaking physical labor in distribution centers that pay salaries that equal far less than \$ 30,000 per year. The state civil servants who work in workforce development are being paid by tax collections from the people who work in these unskilled labor jobs, where they earn far less than \$30,000 per year. Yet, state workforce development employees have starting salaries from \$40,000 to \$60,000 and workforce development officials make much more per year.

This circumstance is driving an entire generation of Americans into drug addiction and fatherless pregnancies. Because I am a TRADITIONAL American, have a rebellious spirit and boldly do what I know is RIGHT, even in the face of judicial tyranny, I look down upon both drug use and children being born out of wedlock. I have always been smart enough to avoid these circumstances in my own life and I WILL NOT succumb to the "current societal posture [See Appendix P, *Katie Lynn Adam's Brief to deny nominal bail, Page 4, Paragraph 1*"]". Ironically, this is the REAL reason so many PA prosecutors, courts and state officials are out to see me repeatedly prosecuted. They want me pushed into poverty and ruined for life. Their goal is not to seek justice for alleged victims (ie: themselves) but to instead see me buried in a pauper's grave as punishment for calling Pennsylvania state officials out for their many failures in governance. I do this by sending mass emails to the government staffs and I include email addresses to numerous members of the public and media.

Pursuing a career using the education that I already have is the only option for employment at this point in my life. The PA state labor department is required by the US Jobs For Veterans Act to assist me in getting jobs for which I am qualified. I have two masters degrees from Columbia University and that means that they must assist me in getting professional jobs that are comparable to my level of education. My insistence that they do so has led to numerous disagreements, multiple terms of incarceration and the repeated filing of identical criminal charges against me in two different Pennsylvania counties.

My education is most applicable in government work. I regularly score in the top three in PA civil Service exams but I am never hired. For more than 15 years, PA has simply boycotted me from hiring for any professional jobs and they have also barred me from receiving any form of assistance in getting such jobs. At least with a state job, my government student loans would eventually be canceled and the taxpayer would ultimately receive the benefit of the education he or she helped finance. Unskilled labor jobs will not cover this immense cost of education. The judge and prosecutor in the instant case have

forbid me from interacting with the state labor department to force them to do their jobs and assist me in getting a professional job using my education. That is why I am unemployed.

I declare under penalty of perjury that the above stated information is true in both fact and belief.

Respectfully Submitted,

April 2, 2018
Date

Sean M. Donahue
Sean M. Donahue