

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

PERRY TURNER, et al. — PETITIONER\$
(Your Name)

VS.

CITY OF LOS ANGELES, 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):

Superior Court of California, County of Los Angeles; District Court of Appeal of the State of California, Second Appellate District, Division 7; Supreme Court of the State of California

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

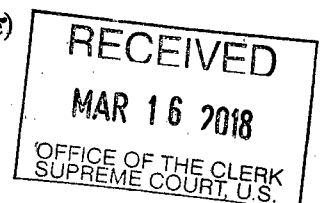
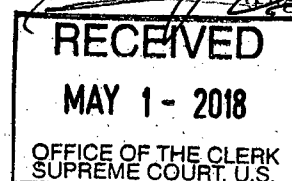
☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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.



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

I, Perry Turner, 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.

Throughout, "N/A" means not applicable.

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>372.74</u>	\$ <u>N/A</u>	\$ <u>100.00</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>0.06</u>	\$ <u>N/A</u>	\$ <u>0.06</u>	\$ <u>N/A</u>
Gifts	\$ <u>41.67</u>	\$ <u>N/A</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Alimony	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Child Support	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>900.72</u>	\$ <u>N/A</u>	\$ <u>910.72</u>	\$ <u>N/A</u>
Disability (such as social security, insurance payments)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</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 (such as welfare)	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Other (specify): <u>reverse</u>	\$ <u>229.17</u>	\$ <u>N/A</u>	\$ <u>250.00</u>	\$ <u>N/A</u>
<u>mortgage loan draws;</u>				
<u>these are not "income"</u>				
Total monthly income:	\$ <u>1,544.35</u>	\$ <u>N/A</u>	\$ <u>1,260.78</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
<u>None</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>N/A</u>
			\$
			\$

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
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	\$ <u>N/A</u>
			\$
			\$

4. How much cash do you and your spouse have? \$ 20.62 (no spouse)
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
<u>Checking (before certification today)</u>	\$ <u>233.51</u>	\$ <u>N/A</u>
<u>Savings</u>	\$ <u>0.10</u>	\$ <u>N/A</u>
<u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>

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

☒ Home	☐ Other real estate
Value <u>\$700,000 market?</u>	Value <u>N/A</u>

☒ Motor Vehicle #1 <u>1994 Toyota Land Cruiser 168,367 mi.</u>	☒ Motor Vehicle #2 <u>1996 Toyota Land Cruiser 288,113 mi.</u>
Year, make & model	Year, make & model
Value <u>\$750; damaged front axle awaits repairs, not yet drivable again</u>	Value <u>\$3,000; drivable till practicable to sell it or use its parts to resume driving the other one</u>
☒ Other assets	
Description <u>1 Canon + 1 Sony camera used in work, 1 HP laptop cpu used in work,</u>	
Value <u>\$1,350</u>	<u>Garmin GPS receiver used in work</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
L.A. Dept. Water and Power (LADWP)	\$1,960.78 vehicle damage claim	\$ N/A
Reverse Mortgage Solutions, Inc. (RMS)	\$250.00 month draw pending	\$ N/A
Minor miscellany omitted	\$ Minor miscellany omitted	\$ N/A

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
None		

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	reverse mortgage	
Is property insurance included? ☐ Yes ☒ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$68.14	\$ N/A
Home maintenance (repairs and upkeep)	\$23.33	\$ N/A
lawns; home invasion damage still unrepaired		
Food	\$120.00	\$ N/A
Clothing	\$5.00	\$ N/A
Laundry and dry-cleaning	\$6.00	\$ N/A
Medical and dental expenses	\$5.00	\$ N/A
Medicare + Medical cover most needs		

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>9.38</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0.00</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>130.92</u>	\$ <u>N/A</u>
Life	\$ <u>N/A</u>	\$ <u>N/A</u>
Health <u>Medicare + Medical</u>	\$ <u>0.00</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>138.64</u>	\$ <u>N/A</u>
Other: <u>N/A</u>	\$ <u>N/A</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>Property tax; ATTACHMENT</u>	\$ <u>481.84</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>132.74</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>210.05</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>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>N/A</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement) <u>ATTACHMENT</u>	\$ <u>131.76</u>	\$ <u>N/A</u>
Other (specify): <u>Litigation copies, service</u>	\$ <u>16.08</u>	\$ <u>N/A</u>
Total monthly expenses:	\$ <u>1,478.88</u>	\$ <u>N/A</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? _____

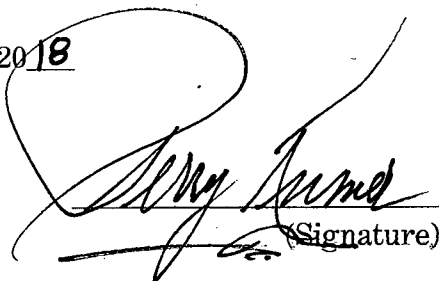
If yes, state the person's name, address, and telephone number:

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

Please see Attachment.

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

Executed on: March 13, , 2018


(Signature)

MOTION DECLARATION ATTACHMENT:

This is an attachment to my foregoing Declaration.

13. ONGOING BUSINESS COSTS:

I design, maintain, and host websites, and manage and fix server security; since mid 1996. I do seasonal artwork on commercial plate glass (an example is interleaved as the next page) in November and December each year; starting autumn, 1999. I do GIS mapping, starting 2008. Essential costs of those and of ancillary requests for direct deposits from RMS are detailed here.

ACTIVITY	FOR	/YEAR	/MO.
1. WEBSITES	web+mail servers	\$132.00	\$11.00
	ssl+tls	\$109.00	\$9.08
	dedicated addresses	\$48.00	\$4.00
	domain renewals	\$383.10	\$31.93
	printer ink/toner	\$32.00	\$2.67
2. SEASONAL ART	fuel/motel	\$240.00	\$20.00
	art supplies	\$25.00	\$2.08
3. GIS MAPPING	fuel	\$540.00	\$45.00
4. Reverse mortgage direct deposit	facsimiles	\$72.00	\$6.00
requests [facsimiles fix dates of receipt of what I send to RMS]			

14. PROPERTY TAX:

Property tax figures going back 12 months take in April half of prior property tax year. Current property tax itself is \$1,482.72; due in two halves of 741.36 (by December 10,



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EXHIBIT 44

then April 10). However, current property tax is increased by \$3,522.81 to \$5,005.53; due in two halves, \$2,502.77 and \$2,502.76 (by December 10, then April 10). The City imposed a \$100.00 fine while I could not afford to have mere lawns mowed (while unkempt yards within a nautical mile of my property increased to 15%), then kept increasing it with penalties, and finally made it a lien as part of property tax, with no notice whatsoever to me or anyone else that it would be made part of property tax, which first appeared in the autumn, 2017 property tax bill. With the claim against LADWP for \$1,960.78 for vehicle damage still unpaid, and with RMS monthly direct deposits consistently delayed (to near allowed 14 days) or after November also more than allowed 14 days (thus, late), I paid \$1,902.77 timely December 10, 2018, then \$660.00 (including 10% penalty on \$600.00) December 30, 2018. I was also out \$300.00 in expected Nov.–Dec., 2017 income, without funds to support it. The next property tax payment due is \$2,502.76 by April 10, 2018. Thus, Apr+Dec *in* 2017 was not \$121.50/mo. but was \$273.28/mo..

15. CREDIT CARD PAYMENTS:

Credit card payments allow outlay buffering. With my budgeting upset by current property tax and by the stated monies that have not been disbursed to me (by LADWP) or have been substantially delayed (by RMS), the difference between my monthly gross income and my monthly gross outlay has required and still requires that buffering in order to cope with it as best I can. That difference between the monthly averages camouflages sudden impact of the property tax surprise in autumn, 2017 (*supra*, 14).

16. PROPERTY MAINTENANCE:

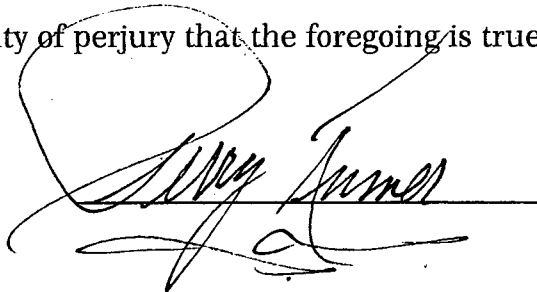
Property maintenance consists primarily of gardeners' periodic lawn and leaf

maintenance. The substantial (ca. \$25,000) damage done to the house during home invasion that gave rise to this litigation is still unrepaired, including, *inter alios*, replacing copper piping stolen (in effective entirety) from below the joists and other plumbing stolen, repairing portions of electrical wiring stolen or mangled below the joists, and repairing other severe damage throughout the house interior and exterior. RMS has not disbursed funds for the repairs, and I am still in no position to fund the repairs otherwise.

17. CIRCUMSTANCES AT LARGE:

The violently forcible home invasion burglary, ransacking, and vandalism effectively destroyed both my home and virtual fortress (turned into a house) and my life in autumn of 2013 and afterward. Rather than retired at now 72 years old I am necessarily semi-retired in a "flat" economy, with more severely limited funds than grownups are presumably supposed to have to deal with. I am still significantly distracted by the aftermath from my work as well as from the necessities involved in litigation. The costs of preparing, duplicating, and mailing a *pro forma* "booklet" petition are simply beyond my reach, notwithstanding that I have the skills to typeset and reproduce one.

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

A handwritten signature in black ink, appearing to read "Greg Turner", is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long, sweeping underline.

Date: March 13, 2018.