

APR 06 2018

OFFICE OF THE CLERK

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

RICHARD HERBERT — PETITIONER
(Your Name)

VS.

CVS 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):

UNITED STATES SUPREME COURT - 15-17814

FEDERAL COURT OF THE UNITED STATES

CALIFORNIA CENTRAL DISTRICT COURT - 16-5663

COURT OF APPEALS - 16-5663 15-17814

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

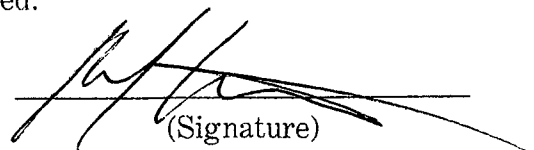
☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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)

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

I, RICHARD HERBERT 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>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Self-employment	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Income from real property (such as rental income)	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Interest and dividends	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Gifts	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Alimony	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Child Support	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>729⁰⁰</u>	\$ <u>0000</u>	\$ <u>729⁰⁰</u>	\$ <u>0000</u>
Disability (such as social security, insurance payments)	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Unemployment payments	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Public-assistance (such as welfare)	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Other (specify): _____	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>	\$ <u>0000</u>
Total monthly income:	\$ <u>1329⁰⁰</u>	\$ _____	\$ <u>1329⁰⁰</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
S&F	P.O. Box 830A	1-1-17-12-31-17	\$ 790 ⁰⁰
			\$
			\$

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
0000	000	0000	\$ 0000
0000	000	0000	\$ 0000
			\$

4. How much cash do you and your spouse have? \$ 0000.00
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
	\$ 0000	\$ 0000
	\$ 0000	\$ 0000
	\$ 0000	\$ 0000

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

☐ Home
Value 0000

☐ Other real estate
Value 0000

☐ Motor Vehicle #1
Year, make & model 0000
Value 0000

☐ Motor Vehicle #2
Year, make & model 0000
Value 0000

☐ Other assets
Description 0000
Value 0000

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
0000	\$ 0000	\$ 0000
0000	\$ 0000	\$ 0000
00000	\$ 00000.00	\$ 00000.00

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
00000	00000	0000
00000	00000	0000
00000	00000	0000

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)	\$ 300 ⁰⁰	\$ 000 ⁰⁰
Are real estate taxes included? ☒ Yes ☐ No		
Is property insurance included? ☒ Yes ☐ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 000 ⁰⁰	\$ 000 ⁰⁰
Home maintenance (repairs and upkeep)	\$ 100 ⁰⁰	\$ 000 ⁰⁰
Food	\$ 100 ⁰⁰	\$ 000 ⁰⁰
Clothing	\$ 100 ⁰⁰	\$ 000 ⁰⁰
Laundry and dry-cleaning	\$ 20 ⁰⁰	\$ 000 ⁰⁰
Medical and dental expenses	\$ 50 ⁰⁰	\$ 000 ⁰⁰

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 150 ⁰⁰	\$ 000
Recreation, entertainment, newspapers, magazines, etc.	\$ 000 ⁰⁰	\$ 000
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ 20 ⁰⁰	\$ 000
Life	\$ 10 ⁰⁰	\$ 000
Health	\$ 30 ⁰⁰	\$ 00
Motor Vehicle	\$ 000	\$ 000
Other: _____	\$ 000 ⁰⁰	\$ 000
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ 000	\$ 000
Installment payments		
Motor Vehicle	\$ 100	\$ 000
Credit card(s)	\$ 000	\$ 000
Department store(s)	\$ 000	\$ 000
Other: _____	\$ 000	\$ 000
Alimony, maintenance, and support paid to others	\$ 000	\$ 000
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 000	\$ 000
Other (specify): _____	\$ 00	\$ 000
Total monthly expenses:	\$ 1200 ⁰⁰	\$ 000

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? _____

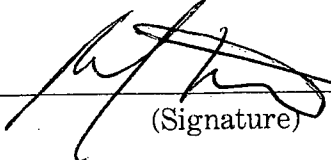
If yes, state the person's name, address, and telephone number:

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

LOW INCOME & ALSO RETIRED TO INCOME.
POOR HOMELESS CONDITION OF INCOME.

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

Executed on: 1/17, 2018


(Signature)