

No. 25-7197

ORIGINAL

USAP7 No. 21-1597

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
MAR 09 2026  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Felipe N. Gomez — PETITIONER  
(Your Name)

VS.

E\*Trade Securities, LLC — 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):

1. Felipe N. Gomez v J.P. Morgan/E\*Trade et al., 25cv8674 (SDNY)(Related 28 USC 1335 case: IFP granted by Her Honor Chief Judge L.T. Swain on 12.11.25 - 25cv8674 Dkt. #6)

2. Gomez v Weisenthal, USAP7 No. 25-1541 (4.16.26 25-1541 Dkt. #7 & #8: IFP granted by HH Judge Daniel re: 25cv15662)(NDIL)

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.

s/ Felipe N. Gomez, Pro Se  
(Signature)

Dated: 4.6.26

**Petition for Certiorari**  
**Felipe N Gomez, Petitioner v. E\*Trade Securities LLC, Respondent**  
**USAP7 No. 21-1597**

(Replaces original affidavit submitted 3.9.26 on incorrect Form AO 240)

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

I, Felipe Nery Gomez, 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	\$ _____	\$ _____	\$ _____	\$ _____
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)	\$ <u>1,589.66</u> (1,575mo. 2025) (1,619mo. 2026)	\$ _____	\$ <u>1,619.00</u>	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ <u>171.33</u> (245mo. 2025) (24mo. 2026)	\$ _____	\$ <u>24.00</u>	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
<b>Total monthly income:</b>	\$ <u>1,760.99</u>	\$ _____	\$ <u>1,643.00</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
Retired 4.7.22			\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

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

4. How much cash do you and your spouse have? \$ \$100  
 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
Huntington Bank	\$ - (512.46)	\$ N/A
Chime	\$ 71.22	\$ _____
Cash App	\$ 2.29	\$ _____

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

- |  |  |
|--|--|
| <input type="checkbox"/> Home<br>Value _____   | <input type="checkbox"/> Other real estate<br>Value _____                            |
| <input checked="" type="checkbox"/> Motor Vehicle #1<br>Year, make & model <u>1999 Honda Accord</u><br>Value <u>\$850</u>  | <input type="checkbox"/> Motor Vehicle #2<br>Year, make & model _____<br>Value _____ |
| <input checked="" type="checkbox"/> Other assets 1. "Unclaimed funds" held in <i>In Re Felipe N. Gomez, 23B3023</i> ,<br>Description <u>in N.D. Illinois Court Registry (which Gomez cannot access due to 21-1597 "Mack Bar")</u><br>Value <u>\$4,000</u> (See Attachment A - Notice of Unclaimed Funds) |  |

6. State every person, business, or organization owing you or your spouse money, and the amount owed. (Unsecured)

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
Frank Kokoszka	\$ 4,000+	\$ _____
U.S. Fire Ins, Co. <i>Gomez v US Fire, 25cv2974 (NJDC)</i>	\$ \$75,000 plus	\$ _____
_____	\$ _____	\$ _____

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	\$ _____
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$ _____
Home maintenance (repairs and upkeep)	\$ 0	\$ _____
Food	\$ 350	\$ _____
Clothing	\$ _____	\$ _____
Laundry and dry-cleaning	\$ 20	\$ _____
Medical and dental expenses	\$ _____	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>200 (gas)</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>12</u>	\$ _____
Life	\$ _____	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ <u>56</u>	\$ _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ _____	\$ _____
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____
Phone	65	
Storage Rental	330	
Misc.	350	
<b>Total monthly expenses:</b>	<b>\$ <u>1,532</u></b>	\$ _____

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. I am retired and on fixed income, with liabilities in excess of \$300,000 as documented in *In Re Felipe Nery Gomez, 23B3023*, including being unable to pay the sanctions (E\*Trade's attorney fees) the CA7 21-1597 "Mack Bar" was imposed for not paying, which comprise nearly all claims of record in 23B3023, where I waived my discharge, under duress. It is that waiver that underlies the USCA7 implied finding that a waiver of discharge, alone, operates as a matter of law to lift the 11 USC 362 stay, as found by the bankruptcy court in the 11.7.25 order relied on by His Honor Easterbrook, in the 12.9.25 order on cert.

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

Executed on: April 7, 2026

s/Felipe N. Gomez

(Signature)

(Replaces original affidavit submitted 3.9.26 on incorrect Form AO 240)