IN THE SUPREME COURT OF THE UNITED STATES

ELBONY WEATHERSPOON, Petitioner

v.

CITY OF MURFREESBORO, TENNESSEE, ET AL., Respondents

No. 25-7518

MOTION FOR RECONSIDERATION OF ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS AND, IN THE ALTERNATIVE, FOR LEAVE TO FILE IN RULE 33.2 FORMAT UPON PAYMENT OF THE DOCKETING FEE

Petitioner Elbony Weatherspoon, proceeding without counsel, respectfully requests reconsideration of the Court's October 5, 2026 order denying leave to proceed *in forma pauperis* (IFP). Petitioner asks the Court to vacate that portion of its order and permit the petition already filed in No. 25-7518 to proceed under Rule 39. Alternatively, if the Court declines to grant IFP status, Petitioner requests permission to pay the Rule 38(a) fee while using the Rule 33.2 ordinary-paper format instead of the booklet format specified in Rule 33.1. Petitioner understands that this alternative is an exception to the usual rules and is not available as of right.

1. On May 27, 2026, Petitioner filed her petition for a writ of certiorari and accompanying motion for leave to proceed IFP. The petition seeks review of the Sixth Circuit's January 21, 2026 judgment, following denial of rehearing on March 20, 2026.

2. On October 5, 2026, the Court denied the IFP motion and directed Petitioner to pay the fee required by Rule 38(a) and submit a Rule 33.1-compliant petition by October 26, 2026. The order did not deny certiorari.

3. Petitioner respectfully requests reconsideration based on financial hardship. The United States District Court for the Middle District of Tennessee previously granted IFP status after finding that Petitioner's monthly expenses approximated her income and that she had minimal assets. *Weatherspoon v. City of Murfreesboro*, No. 3:24-cv-01207, Doc. 9, at 1 (Jan. 23, 2025). Petitioner recognizes that this earlier determination does not bind this Court and asks for an independent assessment based on her current financial circumstances.

4. Petitioner's current financial circumstances are set out in the attached updated financial declaration and supporting documents, if submitted. Petitioner requests that the Court evaluate available resources after necessary living expenses rather than assuming that employment income alone establishes an ability to pay the additional costs.

5. Petitioner obtained an October 7, 2026 communication from a Supreme Court printing service explaining that booklet printing, binding, service, preparation of a compliance certificate, an unbound copy, and in-person filing are part of the proposed service, and that formatting would cost extra. Petitioner offers this communication as evidence of the practical cost of complying with Rule 33.1; it

is not presented as proof that the Court has waived those requirements.

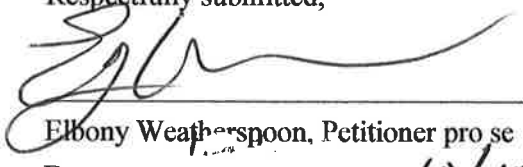
6. Petitioner has separately mailed an application for an extension of time to comply with the October 5 order. Petitioner does not assume that application has been granted or that this motion suspends the October 26 deadline.

7. This motion concerns the costs and format of filing, not the merits of the underlying constitutional claim. Petitioner seeks an opportunity for the Court to consider the petition already lodged in this case in the form permitted for litigants granted IFP status.

REQUEST FOR RELIEF

For these reasons, Petitioner respectfully requests that the Court (a) grant reconsideration, vacate the October 5 denial of leave to proceed IFP, and allow her previously submitted petition to proceed under Rule 39; or (b) alternatively, if the Court denies IFP reconsideration, authorize payment of the Rule 38(a) docketing fee with a petition in Rule 33.2 format notwithstanding Rule 33.1. Petitioner also requests any other relief the Court deems appropriate.

Respectfully submitted,



Ebony Weatherspoon, Petitioner pro se

Date: 10/17/26

Mailing address: 3041 Sidco Dr #0124
Nashville, TN 37204

Telephone: (615) 692 4714

No. 25-7518

IN THE

SUPREME COURT OF THE UNITED STATES

Elbony Weatherspoon — PETITIONER
(Your Name)

VS.

City of Murfreesboro — 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):

U.S. District Court of Middle Tennessee
Rutherford County Circuit 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.

(Signature)

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

I, Elbony Weatherspoon, 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	$ 4100	$ Ø	$ 3,675	$ Ø
Self-employment	$ Ø	$ Ø	$ Ø	$ Ø
Income from real property (such as rental income)	$ Ø	$ Ø	$ Ø	$ Ø
Interest and dividends	$ Ø	$ Ø	$ Ø	$ Ø
Gifts	$ Ø	$ Ø	$ Ø	$ Ø
Alimony	$ Ø	$ Ø	$ Ø	$ Ø
Child Support	$ 780	$ Ø	$ 450	$ Ø
Retirement (such as social security, pensions, annuities, insurance)	$ Ø	$ Ø	$ Ø	$ Ø
Disability (such as social security, insurance payments)	$ Ø	$ Ø	$ Ø	$ Ø
Unemployment payments	$ Ø	$ Ø	$ Ø	$ Ø
Public-assistance (such as welfare)	$ Ø	$ Ø	$ Ø	$ Ø
Other (specify): _____	$ Ø	$ Ø	$ Ø	$ Ø
Total monthly income:	$ 4880	$ Ø	$ 4125	$ Ø

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
Vanderbilt Medical Center	1272 Garrison Dr Murfreesboro TN 37130	4/2024	$ 4,339.42
			$
			$

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
			$
			$

4. How much cash do you and your spouse have? $_____
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
Walmart Debit Card	$ 0	$ 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 _____

☐ Other real estate
Value _____

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

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

☐ Other assets
Description _____
Value _____

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	$ n/A	$ 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
A.R	daughter	15
ZR	Son	14
IM	Son	9

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) Are real estate taxes included? ☐ Yes ☐ No Is property insurance included? ☐ Yes ☐ No	$ 1760	$ n/A
Utilities (electricity, heating fuel, water, sewer, and telephone)	$ 700	$ n/A
Home maintenance (repairs and upkeep)	$ 100	$ n/A
Food	$ 500	$ n/A
Clothing	$ 300	$ n/A
Laundry and dry-cleaning	$ 200	$ n/A
Medical and dental expenses	$ Ø	$ n/A

	You	Your spouse
Transportation (not including motor vehicle payments)	$ Ø	$ n/a
Recreation, entertainment, newspapers, magazines, etc.	$ Ø	$ n/a
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	$ Ø	$ n/a
Life	$ Ø	$ n/a
Health	$ Ø	$ n/a
Motor Vehicle	$ 205	$ n/a
Other: _____	$ Ø	$ n/a
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	$ Ø	$ n/a
Installment payments		
Motor Vehicle	$ 287	$ n/a
Credit card(s)	$ Ø	$ n/a
Department store(s)	$ 400	$ n/a
Other: _____	$ 160	$ n/a
Alimony, maintenance, and support paid to others	$ Ø	$ n/a
Regular expenses for operation of business, profession, or farm (attach detailed statement)	$ Ø	$ n/a
Other (specify): _____	$ Ø	$ n/a
Total monthly expenses:	$ 4,592	$ n/a

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.

See attachment

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

Executed on: October 17, 2026

(Signature)

SUPREME COURT OF THE UNITED STATES

Case No. 25-7518

ELBONY WEATHERSPOON, Petitioner

v.

CITY OF MURFREESBORO, TENNESSEE, ET AL., Respondents

ATTACHMENT A

SUPPLEMENTAL STATEMENT IN SUPPORT OF QUESTION 12

Affidavit or Declaration in Support of Motion for Leave to Proceed In Forma Pauperis

I, Elbony Weatherspoon, respectfully submit this supplemental statement in support of Question 12 of my updated financial declaration.

Since submitting my original application in May 2026, my financial circumstances have materially changed. Although I remain employed by Vanderbilt University Medical Center, my overtime opportunities have decreased, affecting my earnings.

I am a single mother responsible for supporting three dependent children. My income is used to provide housing, food, clothing, utilities, transportation, medical care, and other essential household necessities.

My regular monthly rent is $1,560. However, because my pay schedule does not consistently align with my rent due date, I have incurred late fees that increase my housing expenses. I also have ongoing expenses for utilities, telephone and internet services, food, clothing, automobile insurance, gasoline, medical care, laundry, household maintenance, and installment payments.

I have also experienced financial hardship from falling behind on essential obligations, including my vehicle payments. Maintaining reliable transportation is necessary for my employment, medical appointments, and my children's needs.

On October 5, 2026, the Supreme Court denied my application to proceed *in forma pauperis* and directed me to pay the docketing fee and submit my petition in the booklet format required by Supreme Court Rule 33.1.

I obtained a professional estimate from Legal Printers LLC dated October 7, 2026, for printing and related filing services. The estimate does not include additional formatting charges, meaning the total cost of compliance may be higher.

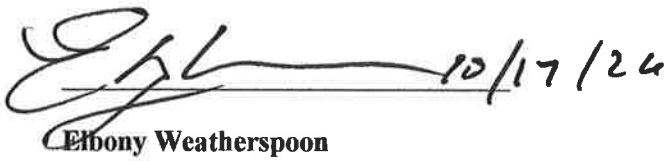
These expenses represent a substantial financial burden for my household. Although I am employed, my available income must first support my children and cover essential living expenses. Paying the required filing and printing costs would place additional strain on my ability to maintain housing, transportation, and other necessities.

I submit this statement in good faith to provide a complete and accurate explanation of my financial circumstances and the hardship associated with the required costs.

I declare under penalty of perjury that the foregoing factual statements are true and correct.

Executed on: October 16, 17, 2026

Respectfully submitted,



Ebony Weatherspoon
Petitioner, Pro Se

ELBONY WEATHERSPOON

Petitioner, Pro Se

Supreme Court Case No. 25-7518

Weatherspoon v. City of Murfreesboro, Tennessee, et al.

Supreme Court of the United States

1 First Street, NE

Washington, DC 20543

RE: Notice of Change in Financial Circumstances – Interruption of Child Support Payments

Dear Clerk of the Court:

I respectfully submit this letter to notify the Court of a recent change in my financial circumstances in connection with my request for reconsideration of the denial of my application to proceed in forma pauperis in Case No. 25-7518.

I previously received child support from two parents. Derrick McDade paid $443.04 in September 2026, but his payments stopped in October. Spencer Reeves continues to make payments; I received $261.31 from him on October 13, 2026. As of October 16, 2026, the loss of Derrick's support has substantially reduced my household income.

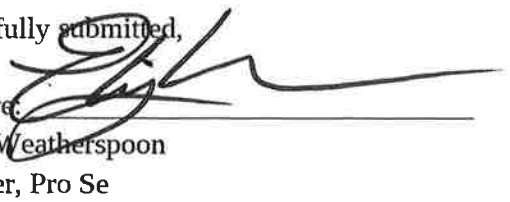
This interruption has reduced the funds available to my household while my financial obligations remain unchanged, including rent, utilities, transportation, and the daily expenses associated with caring for my children.

Although I remain employed, my earnings are necessary to maintain housing and meet my family's essential living expenses. The interruption of child support has further limited my ability to afford the filing and printing costs associated with my petition before this Court.

I respectfully ask that the Court consider this change in circumstances in connection with my request for reconsideration of its denial of in forma pauperis status.

Thank you for your consideration.

Respectfully submitted,



Signature: _____

Elbony Weatherspoon

Petitioner, Pro Se

Date: October 16, 2026

LEGAL PRINTERS LLC

202-747-2400
202-449-9565 Fax
LegalPrinters.com

5614 Connecticut Avenue, NW #307
Washington, DC 20015

Estimate

Ship To:

Elbony Witherspoon
Elbony Witherspoon

No: **4695**

Date: 10/7/26

Quantity	Description	Amount
50	Print & Bind Petition for Writ of Certiorari (40 pages inc cover) Cover, 6.125 x 9.25 Bright White 65# Supreme Court Text, 6.125 x 9.25 Bright White 60# Supreme Court Supreme Court bind	$ 1,283.52
	Filing & Service Unbound copy required by Supreme Court Rule 33.1(f) Docketing Fee (advanced) Execution of Affidavit of Service & Certificate of Compliance 1 Service of printed copies (for one service party) 1 Email service of filed Brief (for one service party) Round-trip filing with returned date-stamped copy	$ 722.00

If additional work is requested or if there are changes to the page count, quantity, clearance time, etc., the cost will change. Shipping and sales tax are not included. Payment is due on or before the day of filing. We accept all major credit cards.