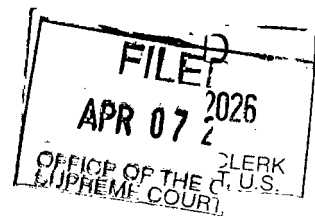


26-5192

No. _____



IN THE SUPREME COURT OF THE UNITED STATES

DAPHNIE NEWMAN BOUDY,
Petitioner,

v.

ORIGINAL

**MCCOMB SCHOOL DISTRICT, MCCOMB SCHOOL DISTRICT
BOARD OF TRUSTEES, and JAMES HARVEY, former Interim
Principal now Assistant
Principal and in his official capacity,
Respondents.**

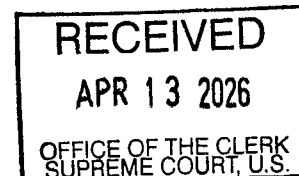
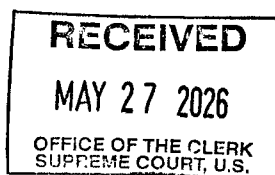
MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*:

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

Petitioner's affidavit or declaration is not attached because the 5th Circuit Court of Appeals below appointed counsel in the current proceeding, and:

The Appointment of Counsel (Appended 9; exhibits 1 - 43) was granted and made under the following provisions of law: 42 U.S.C. § 2000e-5(f)(1), FRCP 17 and The Americans with Disabilities Act (ADA) as



petitioner sufferers from preexisting mental illnesses with current treatment and medication management since February 2008; recent contagious shingles virus that caused permanent herpetic neuropathy on the left side of her face, permanent blurred vision in her left eye, cataracts and left eye light sensitivity from **June 14, 2024 - current**; recent inpatient psychiatric hospitalization in **September 2023** for medication readjustment, monitoring, constant changes in medication management with severe side effects; confused reading legal rules/motions and does not understand the rules (Appended 9 - page 2), which stated as follows:

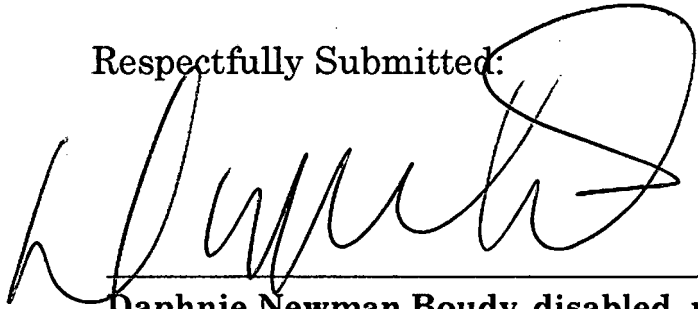
NOW INTO COURT comes *pro se* disabled Plaintiff-Appellant, Daphnie Newman Boudy, who has a disability of severe and chronic mental illness diagnosed in **February 2008** and recent **June 12 and 14, 2024 medical emergencies**, moves the Fifth Circuit for her Motion to Appoint Counsel pursuant to 42 U.S.C. § 2000e-5(f) and Americans with Disabilities Act.

Plaintiff-Appellant is unable to complete and submit Appellant Brief without assistance of counsel because of her severe and chronic mental illness (Exhibit 1, pgs. 1 - 43), severe anxiety attacks with chest pains, constant changes in medication management (Exhibit 1, pgs. 1, 2, 7, 13, 15, 18, 23, 28, 31, 34), recent **June 12, 2024** emergency room treatment for anxiety attacks, chest pains and possible heart attack (Exhibit 1, pgs. 32 - 43), **June 14, 2024 - current** shingles outbreak treatment (Exhibit 1, pgs. 2 - 43) on her face and left eye, recent **June 17 and 18, 2024** emergency room treatment for shingles on the left side of her face and left eye, recent **June 18, 2024** lab eye culture confirming eye shingles that caused left eye shingles complications, left eye blurred vision, light sensitivity, shingles cataracts, and postherpetic neuropathy on the left side of her face/eye (Exhibit 1, pgs. 1 - 43) all contributing to her inability to complete and submit Appellant Brief without assistance of

counsel. Plaintiff used to have help with simple motions and filings from the Federal Pro Se Help Desk, but she no longer has help. After Plaintiff's five (5) day voluntary psychiatric hospitalization, reevaluation, monitoring, and medication management and readjustment in **September 2023**, she gets confused reading legal rules/motions and does not understand the rules to submit Appellant Brief without assistance of counsel.

A copy of the Motion and Order of Appointment of Counsel is Appended 9; exhibits 1 - 43.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read 'Daphnie Boudy', written over a horizontal line.

Daphnie Newman Boudy, disabled, pro se
Filing with help from her daughter
Mailing address: 111 Oak Street
McComb, Mississippi 39648
Phone: 985.285.8712
Email: daphnieboudy@outlook.com

United States Court of Appeals
for the Fifth Circuit

No. 24-60386

United States Court of Appeals
Fifth Circuit

FILED

December 10, 2024

Lyle W. Cayce
Clerk

DAPHNIE NEWMAN BOUDY,

Plaintiff—Appellant,

versus

McCOMB SCHOOL DISTRICT; McCOMB SCHOOL DISTRICT
BOARD OF TRUSTEES; JAMES HARVEY, *former Interim Principal now
Assistant Principal and in his official capacity,*

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 5:23-CV-30

ORDER:

The court, having reviewed the Appellant's motion for appointment of counsel and related filings, concludes that it would be best served by appointing counsel to represent the Appellant for the proceedings before this court. *See* General Order Governing the Circuit Pro Bono Program (5th Cir.

Appendix 9
Order

No. 24-60386

June 6, 2017). Accordingly, IT IS ORDERED that Appellant's motion for appointment of counsel is GRANTED. Counsel will be selected from this Court's pro bono panel.

The Clerk is DIRECTED to establish a briefing schedule upon the appointment of counsel.



CORY T. WILSON
United States Circuit Judge

Appendix 9
Order

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

February 3, 2025

Lyle W. Cayce
Clerk

No. 24-60386

DAPHNIE NEWMAN BOUDY,

Plaintiff—Appellant,

versus

MCCOMB SCHOOL DISTRICT; MCCOMB SCHOOL DISTRICT
BOARD OF TRUSTEES; JAMES HARVEY, *former Interim Principal now*
Assistant Principal and in his official capacity,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 5:23-CV-30

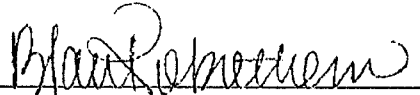
ORDER:

IT IS ORDERED that attorneys Coleman Torrans and Katherine E. Clark, having agreed to represent Appellant Boudy on a pro bono basis, are APPOINTED to represent Boudy in the proceedings before this court.

Appendix 9

No. 24-60386

ENTERED FOR THE COURT:


BLAIR ROBOTOM
Deputy Clerk

Appendix 9