

No. 26-5403

IN THE SUPREME COURT OF THE UNITED STATES

SHYAMAL GHOSH, Petitioner,

v.

NEW YORK CITY HOUSING AUTHORITY, Respondent.

**MOTION FOR RECONSIDERATION OF ORDER DENYING LEAVE TO
PROCEED IN FORMA PAUPERIS**

Petitioner Shyamal Ghosh, proceeding pro se, respectfully moves for reconsideration of the Court's October 5, 2026 order denying leave to proceed in forma pauperis. The order did not specify a reason for denial. Petitioner requests reconsideration based on the financial information previously submitted and the updated information stated below.

Petitioner submitted an affidavit or declaration dated August 22, 2026, reporting gross monthly employment income of \$5,916 and monthly expenses totaling \$6,015. The original motion also disclosed that leave to proceed in forma pauperis had previously been granted in the lower court. Petitioner understands that the prior grant is not controlling in this Court.

Petitioner's current biweekly take-home pay is approximately \$1,596.95, or \$3,460.06 per month averaged over 26 biweekly pay periods. His income has not increased since the original application, and he reports that his financial circumstances have worsened. His original affidavit listed recurring expenses of approximately \$6,015 per month. Subject to verifying that no payroll deduction is counted again as an expense, the difference between average monthly take-home pay and the reported expenses is approximately \$2,554.94.

The additional \$300 docketing fee and the cost of producing 40 Rule 33.1-compliant petition booklets would impose a substantial additional burden. Petitioner respectfully requests that the Court reconsider its October 5 order and permit him to proceed in forma pauperis.

Petitioner requests consideration of the original affidavit and an updated declaration, together with any supporting payroll and expense records submitted in accordance with the Court's rules. Petitioner does not seek to amend the substance of the petition for a writ of certiorari.

WHEREFORE, Petitioner respectfully requests that the Court grant this motion for reconsideration and allow the petition to proceed in forma pauperis.

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**OFFICE OF THE CLERK
SUPREME COURT, U.S.**

No. 26 - 5403

IN THE
SUPREME COURT OF THE UNITED STATES

SHYAMAL GHOSH

PETITIONER

(Your Name)

VS.

NEW YORK CITY HOUSING AUTHORITY

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):

IFP was granted by the United States District Court for the Southern District of New York on May 29, 2023, as reflected in the Second Circuit docket in Ghosh v. New York City Housing Authority, No. 23-822, Dkt. 9.

☐ 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: _____

☐ a copy of the order of appointment is appended.



(Signature)

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
NYCHA	90 Church St New York, NY 10007	July 2002 - present	\$5,916.00

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.)

N/A

4. How much cash do you and your spouse have? \$ **\$0.00**

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account	Amount you have	Amount your spouse has
Checking	\$500.00	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: N/A

Other real estate: N/A

Motor Vehicle #1: N/A

Motor Vehicle #2: N/A

Other assets - Description: No

Value: N/A

	You	Your spouse
Transportation (not including motor vehicle payments)	\$100.00	N/A
Recreation, entertainment, newspapers, magazines, etc.	\$200.00	N/A
Homeowner's or renter's insurance	N/A	N/A
Life insurance	N/A	N/A
Health insurance	N/A	N/A
Motor Vehicle insurance	N/A	N/A
Other: Credit Union / personal loan	\$600.00	N/A
Taxes (not deducted from wages or mortgage)	N/A	N/A
Installment payments - Motor Vehicle	N/A	N/A
Installment payments - Credit card(s)	\$500.00	N/A
Installment payments - Department store(s)	\$400.00	N/A
Installment payments - Other	\$100.00	N/A
Alimony, maintenance, and support paid to others	N/A	N/A
Regular business/profession/farm expenses	N/A	N/A
Other (specify)	N/A	N/A
Total monthly expenses:	\$6,015.00	N/A

NYC**ESTUBS**

Print Page

Pay Stub

Empl Num	0551478
Name	SHYAMAL GHOSH
Payroll #	996 (NYCHA)

Pay Date: 10/01/2026**Pay Period: From 09/13/2026 to 09/26/2026****Net Pay Current****1,596.97****Net Pay YTD****31,766.95**

Pay	Prior Per Hours	Prior Per Amount	Current Per Hours	Current Per Amount
RECURRING REGULAR GROSS			70:00	2,824.47
PENSIONABLE LONGEVITY DIFFERENTIAL-EQUITY PANEL				53.05
Gross Pay Current				2,877.52
Gross Pay YTD				57,204.41

Tax Deductions	Year to Date Amount	Amount
FICA TAX-EMPLOYEE SHARE	3,546.67	178.40
MEDICARE-EMPLOYEE SHARE	829.46	41.72
FEDERAL WITHHOLDING TAX	6,287.50	318.11
STATE WITHHOLDING TAX	2,613.52	131.61
NEW YORK CITY WITHHOLDING TAX	1,993.49	100.41

Deductions	Goal Amount or Total Installments	Balance Due or Installments Left	Amount
MUNICIPAL CREDIT UNION			86.50
HIP HMO MCP NY BASIC			
HIP HMO MCP NY BASIC			
PAID FAMILY LEAVE GOAL ORIENT	411.91	164.80	12.43
CH 96 PENSION-BASIC 414H			53.23
NYCERS PENSION SYSTEM-LOANS	130	95	317.40
CITY EMPLOYEE UNION			40.74

Total Deductions Current**1,280.55****Total Deductions YTD****25,437.46****Leave Balance As Of: 09/12/2026**

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666 Third Avenue
New York, NY 10017

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Shyamal Ghosh,

Plaintiff - Appellant,

v.

New York City Housing Authority,

Defendant - Appellee.

05/18/2023	☐ <u>1</u>	NOTICE OF CIVIL APPEAL, with district court docket, on behalf of Appellant Shyamal Ghosh, FILED. [3519849] [23-822] [Entered: 05/23/2023 10:05 AM]
	19 pg, 586.38 KB	
05/18/2023	☐ <u>2</u>	DISTRICT COURT ORDER, dated 03/20/2023, RECEIVED.[3519856] [23-822] [Entered: 05/23/2023 10:09 AM]
	1 pg, 92.35 KB	
05/18/2023	☐ <u>3</u>	DISTRICT COURT JUDGMENT, dated 03/20/2023, RECEIVED.[3519862] [23-822] [Entered: 05/23/2023 10:12 AM]
	1 pg, 110.32 KB	
05/18/2023	☐ <u>6</u>	ELECTRONIC INDEX, in lieu of record, FILED.[3523257] [23-822] [Entered: 05/31/2023 11:21 AM]
	12 pg, 310.16 KB	
05/23/2023	☐ <u>4</u>	INSTRUCTIONAL FORMS, to Pro Se litigant, SENT.[3519863] [23-822] [Entered: 05/23/2023 10:13 AM]
	1 pg, 93.46 KB	
05/23/2023	☐ <u>5</u>	NOTICE, re: pending district court IFP motion, to district court, SENT.[3519868] [23-822] [Entered: 05/23/2023 10:15 AM]
	1 pg, 115.76 KB	

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06/01/2023	☐ <u>8</u>	FORM D-P, on behalf of Appellant Shyamal Ghosh, FILED. Service date 06/01/2023 by email.[3525341] [23-822] [Entered: 06/06/2023 09:35 AM]
	2 pg, 378.34 KB	
06/16/2023	☐ <u>9</u>	DISTRICT COURT ORDER, dated 05/24/2023, granting IFP, RECEIVED. [3530077] [23-822] [Entered: 06/16/2023 08:50 AM]
	1 pg, 84.77 KB	
06/16/2023	☐ <u>10</u>	ATTORNEY, Jason Brett Levin for Appellee New York City Housing Authority, in case 23-822 , [1], ADDED.[3530079] [23-822] [Entered: 06/16/2023 08:52 AM]
06/16/2023	☐ <u>12</u>	NOTICE, to Appellee New York City Housing Authority , for failure to file an appearance, SENT.[3530081] [23-822] [Entered: 06/16/2023 08:55 AM]
	1 pg, 95.58 KB	
06/21/2023	☐ <u>18</u>	NEW CASE MANAGER, Evelyn Cruz, copy to pro se Appellant, ASSIGNED. [3531877] [23-822] [Entered: 06/21/2023 11:30 AM]
	1 pg, 90.21 KB	
06/26/2023	☐ <u>22</u>	TRANSCRIPT STATUS UPDATE LETTER, dated 06/26/2023, on behalf of Appellant Shyamal Ghosh, informing court of transcript delays, RECEIVED. Service date 06/26/2023 by email.[3533981] [23-822] [Entered: 06/27/2023 09:33 AM]
	4 pg, 916.32 KB	
07/05/2023	☐ <u>23</u>	NOTICE, to Appellee New York City Housing Authority, for failure to file an appearance, SENT.[3537449] [23-822] [Entered: 07/05/2023 04:37 PM]
	1 pg, 95.49 KB	
07/13/2023	☐ <u>24</u>	TRANSCRIPT STATUS UPDATE LETTER, dated 07/13/2023, on behalf of Appellant Shyamal Ghosh, informing court of transcript delays, RECEIVED. Service date 07/13/2023 by email.[3541208] [23-822] [Entered: 07/13/2023 04:47 PM]
	4 pg, 708.83 KB	
07/14/2023	☐ <u>25</u>	NOTICE OF APPEARANCE AS SUBSTITUTE COUNSEL, on behalf of Appellee New York City Housing Authority, FILED. Service date 07/14/2023 by US mail. [3541748] [23-822] [Entered: 07/14/2023 01:35 PM]
	2 pg, 208.79 KB	
07/14/2023	☐ <u>26</u>	ATTORNEY, Hahn H. Le, [25], in place of attorney Jason Brett Levin, SUBSTITUTED.[3542012] [23-822] [Entered: 07/14/2023 04:19 PM]
07/14/2023	☐ <u>27</u>	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellee New York City Housing Authority, FILED. Service date 07/14/2023 by US mail.[3542022] [23-822] [Entered: 07/14/2023 04:25 PM]
	2 pg, 224.56 KB	
07/27/2023	☐ <u>28</u>	TRANSCRIPT STATUS UPDATE LETTER, dated 07/27/2023, on behalf of Appellant Shyamal Ghosh, informing court of transcript delays, RECEIVED. Service date 07/27/2023 by email.[3548188] [23-822] [Entered: 07/27/2023 04:47 PM]
	4 pg, 682.15 KB	
08/25/2023	☐ <u>30</u>	TRANSCRIPT STATUS UPDATE LETTER, dated 08/25/2023, on behalf of Appellant Shyamal Ghosh, informing court of transcript delays, RECEIVED. Service date 08/25/2023 by email.[3561475] [23-822] [Entered: 08/25/2023 04:56 PM]
	2 pg, 325.94 KB	
09/08/2023	☐ <u>31</u>	TRANSCRIPT STATUS UPDATE LETTER, dated 09/08/2023, on behalf of Appellant Shyamal Ghosh, informing court of transcript delays, RECEIVED. Service date 09/08/2023 by email.[3566872] [23-822] [Entered: 09/11/2023 11:42 AM]
	2 pg, 491.56 KB	
09/22/2023	☐ <u>32</u>	TRANSCRIPT STATUS UPDATE LETTER, dated 09/20/2023, on behalf of Appellant Shyamal Ghosh, informing court of transcript delays, RECEIVED.
	2 pg, 910.46 KB	

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NEW YORK CITY HOUSING AUTHORITY, Respondent.

SUPPLEMENTAL DECLARATION REGARDING FINANCIAL
CIRCUMSTANCES

I, Shyamal Ghosh, declare as follows:

1. I am the petitioner in Supreme Court case No. 26-5403. I submit this declaration in support of my motion for reconsideration of the October 5, 2026 order denying leave to proceed in forma pauperis.

2. My gross monthly employment income remains approximately \$5,916. My current biweekly net take-home pay is approximately \$1,596.95, equivalent to an average of \$3,460.06 per month based on 26 biweekly payments per year.

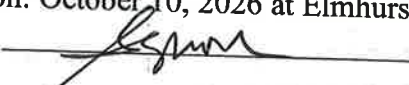
3. In my August 22, 2026 financial affidavit, I reported monthly expenses of approximately \$6,015. These figures reflect actual monthly payments and necessary expenses, rather than merely outstanding debt balances.

4. My income has not increased since I submitted the original affidavit. My financial circumstances have not improved. My necessary monthly expenses continue to exceed my available income.

5. I cannot readily pay the \$300 docketing fee and the additional cost of producing 40 booklet-format copies without substantial financial hardship.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: October 10, 2026 at Elmhurst, New York.

Signature: 

Respectfully submitted,


Shyamal Ghosh, Petitioner pro se
42-52 Layton Street, Apt. 1D, Elmhurst, NY 11373

646-220-6400

Date: October 10, 2026

CERTIFICATE OF SERVICE

I certify that on October 10, 2026, I served a copy of this filing by mail on counsel for

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OCT 19 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Respondent at the following address: Andrew M. Lupin, New York City Housing
Authority Law Department, 90 Church Street, 11th Floor, New York, NY 10007.

Signature: 