

26-5787 ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

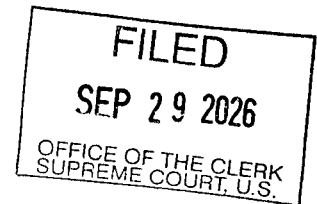
BRENDA KAY LEAVY,

Petitioner,

v.

FEDERAL EXPRESS CORPORATION,

Respondent.



MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner Brenda Kay Leavy, proceeding *pro se*, respectfully moves this Court pursuant to Supreme Court Rule 39 for leave to proceed *in forma pauperis* in connection with her Petition for a Writ of Certiorari.

Petitioner is unable to pay the costs associated with this proceeding without substantial financial hardship. The accompanying Affidavit or Declaration in Support of Motion for Leave to Proceed In Forma Pauperis sets forth Petitioner's current financial circumstances.

Petitioner previously sought leave to proceed *in forma pauperis* in the United States District Court for the Western District of Tennessee in connection with her original appeal. That request was denied on October 21, 2021. Petitioner discloses that prior request as required by Supreme Court Rule 39.

Petitioner respectfully requests that the Court grant this Motion and permit her Petition for a Writ of Certiorari to proceed *in forma pauperis*.

Respectfully submitted,


Brenda Kay Leavy

Petitioner, *pro se*

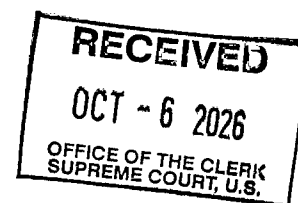
5036 Overview Ridge Cove

Memphis, TN 38141

Telephone: (901) 495-3561

Email: bkmeeks1@att.net

Dated: September 29, 2026



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	N/A	N/A	N/A	N/A
Self-employment	N/A	N/A	N/A	N/A
Income from real property (such as rental income)	N/A	N/A	N/A	N/A
Interest and dividends	N/A	N/A	N/A	N/A
Gifts	N/A	N/A	N/A	N/A
Alimony	N/A	N/A	N/A	N/A
Child support	N/A	N/A	N/A	N/A
Retirement (such as social security, pensions, annuities, insurance)	\$739.83	N/A	\$739.83	N/A
Disability (such as social security, insurance payments)	\$2,363.50	N/A	\$2,363.50	N/A
Unemployment payments	N/A	N/A	N/A	N/A
Public-assistance (such as welfare)	N/A	N/A	N/A	N/A
Other (specify):	N/A	N/A	N/A	N/A
Total monthly income:	\$3,103.33	N/A	\$3,103.33	N/A

2. *List your 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
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

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
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

4. *How much cash do you and your spouse have? \$120.00*

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

Financial Institution	Type of Account	Amount you have	Amount your spouse has
Regions	Checking	\$ 245.00	N/A
FedEx Credit Association	Checking	\$ 0	N/A
N/A	N/A	N/A	N/A

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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

Home	Other real estate	Motor vehicle #1
(Value) \$131,000	(Value) N/A	(Value) \$6,750
		Make and year: 2014
		Model: E350 Mercedes
		Registration #: 8457817D

Motor vehicle #2	Other assets	Other assets
N/A	N/A	N/A
Make and year:	N/A	N/A
Model:	N/A	N/A
Registration #:	N/A	N/A

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
N/A	N/A	N/A
N/A	N/A	N/A
N/A	N/A	N/A

7. *State the persons who rely on you or your spouse for support.*

Name [or, if under 18, initials only]	Relationship	Age
N/A	N/A	N/A
N/A	N/A	N/A
N/A	N/A	N/A

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, semiannually, 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	\$1,029	N/A
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$420.00	N/A
Home maintenance (repairs and upkeep)	\$220.00	N/A
Food	\$580.00	N/A
Clothing	\$80.00	N/A
Laundry and dry-cleaning	\$80.00	N/A
Medical and dental expenses	\$90	N/A
Transportation (not including motor vehicle payments)	\$40	N/A
Recreation, entertainment, newspapers, magazines, etc.	\$85	N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	N/A	N/A
Life:	\$74.70	N/A
Health:	\$202.40	N/A
Motor vehicle:	\$237.10	N/A
Other: Pet Insurance	\$12.71	N/A
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ N/A	N/A
Installment payments		
o Motor Vehicle:	N/A	N/A
Credit card (name): See Attachment	\$935.52	N/A
Department store (name):	N/A	N/A
Other: License Plate Registration	\$9.29	N/A

Alimony, maintenance, and support paid to others	N/A	N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	N/A	N/A
Other (specify): Trash Service, HOA Dues and Pet Food	\$82.67	N/A
Total monthly expenses:	\$4,178.39	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 spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit?*** ☒ Yes ☐ No

I have incurred and expect to continue incurring substantial expenses for printing, ink, paper, copying, binding, postage, and shipping in connection with this litigation and the preparation and filing of my Petition for a Writ of Certiorari. A recent ink purchase alone was approximately \$175, in addition to significant paper and shipping expenses. The total amount is ongoing and difficult to calculate precisely.

If yes, how much? At least \$175 in recent ink costs, plus additional expenses for paper, copying, binding, postage, and shipping. These expenses are ongoing, and the total has not been precisely calculated.

11. ***Provide any other information that will help explain why you cannot pay the docket fees for your appeal.*** I am unable to pay the filing costs without substantial financial hardship. I lost my employment following my breast-cancer diagnosis and have experienced a significant reduction in income and financial resources. My limited sources of income consist primarily of disability and retirement/pension benefits. I continue to have medical needs related to my breast-cancer history, including ongoing medications and the possibility of unforeseen breast-cancer-related treatment and expenses. I also have ongoing household expenses and credit-card debt. My limited income is needed for necessary living and medical expenses, and I cannot afford the costs of this proceeding without hardship.

12. ***State the city and state of your legal residence.*** Memphis, Tennessee

Your daytime phone number: (901) 495-3561

Your age: 63

Your years of schooling: 12

Last four digits of your social-security number: 7461

ATTACHMENT TO QUESTION 8

CREDIT CARD AND LOAN PAYMENTS

Brenda Kay Leavy

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The following are my current monthly credit-card and loan payment obligations:

<u>Creditor / Account</u>	<u>Monthly Payment</u>
CareCredit	\$60.00
Chase / Prime	\$150.00
Credit Card	\$150.00
Patriot Bank Loan	\$92.52
Merrick	\$120.00
Mercury	\$300.00
Affirm	\$63.00
Total Monthly Payments	\$935.52