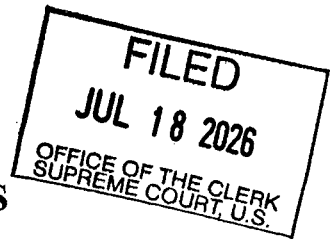


No. **26-5866**



IN THE
SUPREME COURT OF THE UNITED STATES

LIYING TAO,
Petitioner,

v.

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ALAMEDA, APPELLATE DIVISION,
Respondent,

and

CHRISTOPHER MORELAND,
Real Party in Interest.

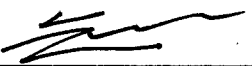
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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 previously been granted leave to proceed in forma pauperis in the California Court of Appeal, First Appellate District, Division Three, Case No. A175810 (order dated March 12, 2026, granting waiver of the filing fee).

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Respectfully submitted,

Signature: _____

Liying Tao, Petitioner Pro Se

1278 65th Street

Berkeley, CA 94702

Telephone: (415) 216-8008

Email: taolisa4132@gmail.com

Date: September 28, 2026

No. _____

**IN THE
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LIYING TAO,
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**SUPERIOR COURT OF CALIFORNIA,
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**AFFIDAVIT OR DECLARATION IN SUPPORT OF MOTION FOR LEAVE
TO PROCEED IN FORMA PAUPERIS**

I, Liying Tao, 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. Average monthly income during the past 12 months and amount expected next month (gross amounts before deductions):

Income source	Past 12 months - Petitioner	Next month - Petitioner
Employment	\$0	\$0
Self-employment	\$0	\$0
Gross rental income from real property	\$3,015.08	\$3,015.08
Interest/dividends, gifts, alimony, child support	\$0	\$0
Retirement/Social Security/pension	\$0	\$0
Disability/unemployment/public assistance/other	\$0	\$0

The gross rental income is approximately \$3,015.08 per month. The property nevertheless operates at a monthly loss because necessary property expenses substantially exceed the rental income.

2. Employment history for the past two years: Petitioner is unemployed. Gross monthly employment income is \$0.
3. Spouse's employment history for the past two years: Not applicable. Petitioner has no spouse.
4. Cash and accounts: Cash, checking, and savings combined: approximately \$1,300.
5. Assets: Residential real property in Berkeley, California. Alameda County tax-assessed value: approximately \$920,000. Approximate mortgage balance: \$260,000. The property is subject to taxes, insurance, maintenance expenses,

litigation-related claims, and enforcement disputes. Motor vehicle: 2013 Nissan Sentra, estimated value approximately \$3,000-\$4,000. Ordinary household and personal property of minimal resale value. No stocks, bonds, securities, trusts, or valuable jewelry.

6. Persons, businesses, or organizations owing money to petitioner: No liquid, presently collectible amount available to pay filing costs. Any claimed unpaid rents, litigation recoveries, or disputed amounts are uncertain, contested, and not presently available.

7. Persons relying on petitioner for support: None.

8. Average monthly expenses:

Expense	Petitioner
Home mortgage payment	\$2,540
Real estate taxes not included in mortgage	\$1,600
Water and garbage charges paid for tenants	\$600
Electricity	\$200
Transportation	\$150
City/Rent Board/registration/housing inspection fees	\$300
Property/housing insurance	\$100
Food, clothing, medical, telephone, other necessary living expenses	Variable; paid as funds permit
Home maintenance and repairs	Variable and substantial
Litigation, copying, mailing, and court-related expenses	Variable and substantial

Known fixed housing-related monthly expenses total approximately \$5,490, before food, medical, telephone, additional maintenance, and litigation expenses. These fixed expenses exceed the gross monthly rental income by approximately \$2,474.92.

9. Expected major changes during the next 12 months: Litigation and enforcement proceedings may increase expenses and may affect rental income, property-related liabilities, and the ability to maintain the property. The timing and amount are uncertain.

10. Attorney payments in connection with this Supreme Court case: None. Petitioner is proceeding pro se and has not paid, and does not presently expect to pay, an attorney to prepare this petition or these forms.

11. Payments to anyone other than an attorney for services in connection with this case: None. Petitioner has not paid, and does not presently expect to pay, a paralegal, typist, or other person for preparing this petition or these forms.

12. Additional explanation of inability to pay: Petitioner is currently unemployed and receives approximately \$3,015.08 per month in gross rental income from residential property. That income is insufficient to cover necessary property and living expenses. Known fixed housing-related expenses alone are approximately \$5,490 per month, before food, medical, telephone, repairs, maintenance, and substantial litigation, copying, mailing, and enforcement expenses. The property has an Alameda County tax-assessed value of approximately \$920,000 and an approximate mortgage balance of \$260,000, but it is encumbered, income-producing property and is not a source of readily available cash. Petitioner has approximately \$1,000 in cash and bank accounts and does not have sufficient disposable income to pay the Supreme Court filing costs or booklet-printing expenses.

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

Executed on: September 28, 2026

Signature: 
Liying Tao, Petitioner Pro Se