No. 26-6172

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
OCT 28 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN RE TERRI LOWE (TUCKER) AND WILLIAM JAMES, Petitioners.

ON PETITION FOR A WRIT OF MANDAMUS
TO THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

PETITION FOR A WRIT OF MANDAMUS

Date: October 28, 2026

Terri Lowe (Tucker)
Address: 1136 Joslin Path
Douglasville, GA 30134
Phone: 678-822-4593
Email: terrilowe43@gmail.com

William James
Address: 14920 Ashland Ave
Harvey, Illinois 60426
Phone: 773-990-9373
Email: bj255758@yahoo.com

Petitioners' Appearing As Joint Pro Se Litigants

RECEIVED
NOV - 3 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioners, Terri Lowe and William James, appearing pro se, respectfully move this Court, pursuant to Supreme Court Rule 39 and 28 U.S.C. § 1915, for leave to file the attached Petition for a Writ of Mandamus without prepayment of fees or costs and to proceed in forma pauperis.

In support of this motion, Petitioners state as follows:

1. Petitioners are indigent individuals who, because of their financial poverty, are unable to pay the costs of these proceedings or to give security therefore, and they believe they are entitled to the relief sought in the accompanying petition.

2. In accordance with Supreme Court Rule 39.1, attached hereto and incorporated herein are the separate Affidavits/Declarations in Support of Motion for Leave to Proceed In Forma Pauperis (executed pursuant to 28 U.S.C. § 1746 in substantial compliance with Form 4 of the Federal Rules of Appellate Procedure) for both Petitioner Terri Lowe and Petitioner William James, detailing their respective income, assets, expenses, and liabilities.

3. Prior IFP status in lower courts:

[ ] Petitioner Terri Lowe was granted leave to proceed in forma pauperis in: - United States District Court for the Northern District of Georgia - United States Court of Appeals for the Eleventh Circuit

[ ] Petitioner William James was granted leave to proceed in forma pauperis in: - United States District Court for the Northern District of Georgia - United States Court of Appeals for the Eleventh Circuit

[x] Neither Petitioner was denied IFP status below

WHEREFORE, Petitioners respectfully request that this Court grant this Motion for Leave to Proceed in Forma Pauperis and allow the accompanying Petition for a Writ of Mandamus to be docketed without prepayment of fees or costs.

Respectfully submitted,

Date: October 28, 2026,

Terri Lowe (Tucker)
Pro Se Petitioner
Address: 1136 Joslin Path
Douglasville, GA 30134
Phone: 678-822-4593
Email: terrilowe43@gmail.com

William James
Pro Se Petitioner
Address: 14920 Ashland Ave
Harvey, Illinois 60426
Phone: 773-990-9373
Email: bj255758@yahoo.com

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Terri Lowe (Tucker) — PETITIONER
(Your Name)

VS.

Barbara Hunt et. al. — 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):

_____

_____

☒ 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.

Terri Lowe

(Signature)

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

I, Terri Lowe (Tucker), 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	$	$	$	$
Self-employment	$	$	$	$
Income from real property (such as rental income)	$	$	$	$
Interest and dividends	$	$	$	$
Gifts	$	$	$	$
Alimony	$	$	$	$
Child Support	$	$	$	$
Retirement (such as social security, pensions, annuities, insurance)	$	$	$	$
Disability (such as social security, insurance payments)	$ 1994.53	$	$	$
Unemployment payments	$	$	$	$
Public-assistance (such as welfare)	$	$	$	$
Other (specify): VA Compensation	$ 4408.53	$	$	$
Total monthly income:	$ 6403.06	$	$	$

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
NA			$
			$
			$

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
NA			$
			$
			$

4. How much cash do you and your spouse have? $ 293.96
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
Checking	$ $293.96	$
Savings	$ (15.75)	$
Checking	$ 2.90	$

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

☒ Home
Value $391,000.00

☐ Other real estate
Value

☒ Motor Vehicle #1
Year, make & model 2014 Lincoln MKT
Value $3500

☒ Motor Vehicle #2
Year, make & model 2006 Mercedes 350 CLK Inoperable
Value $1,000

☒ Other assets
Description Normal Household Furnishings
Value 50,000.00 estimation

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
_____	$_____	$_____
_____	$_____	$_____
_____	$_____	$_____

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
DD	Legal Custody Grandson	6
DR	Grandson - Parents Unavailable	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	$ 2319.11	$_____
Utilities (electricity, heating fuel, water, sewer, and telephone)	$ 1233.70	$_____
Home maintenance (repairs and upkeep)	$ 260.00	$_____
Food	$ 650.00	$_____
Clothing	$ 100.00	$_____
Laundry and dry-cleaning	$ 60.00	$_____
Medical and dental expenses	$ 100.00	$_____

	You	Your spouse
Transportation (not including motor vehicle payments)	$ 283.00	$
Recreation, entertainment, newspapers, magazines, etc.	$ 200.00	$
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	$ 133.00	$
Life	$ 96.00	$
Health	$ 450.00	$
Motor Vehicle	$ 244.00	$
Other: _____	$	$
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	$ 20.00	$
Installment payments		
Motor Vehicle	$	$
Credit card(s)	$ 125.00	$
Department store(s)	$ 4.95	$
Other: _____	$	$
Alimony, maintenance, and support paid to others	$	$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	$	$
Other (specify): _____	$	$
Total monthly expenses:	$ 6278.76	$

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.

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

Executed on: October 28, 2026

(Signature)

No. _____

_____

IN THE

SUPREME COURT OF THE UNITED STATES

_____

William James _____ — PETITIONER
(Your Name)

VS.

Barbara Hunt et. al. _____ — 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):

_____

_____

☒ 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.

William James
(Signature)

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

I, William James, 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	$ 0	$	$ 2800.00	$
Self-employment	$ 0	$	$	$
Income from real property (such as rental income)	$ 0	$	$	$
Interest and dividends	$ 0	$	$	$
Gifts	$ 0	$	$	$
Alimony	$ 0	$	$	$
Child Support	$ 0	$	$	$
Retirement (such as social security, pensions, annuities, insurance)	$ 0	$	$	$
Disability (such as social security, insurance payments)	$ 0	$	$	$
Unemployment payments	$ 0	$	$	$
Public-assistance (such as welfare)	$ 0	$	$	$
Other (specify):	$ 0	$	$	$
Total monthly income:	$ 0	$	$	$

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
Self Employed Filed for Bankruptcy			$ 0
			$
			$

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
Walmart, Inc.		03/2020-Current	$ 2800.00
			$
			$

4. How much cash do you and your spouse have? $ $60.00
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
Checking	$	$ 60.00
	$	$
	$	$

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

☒ Home
Value $185,000.00

☐ Other real estate
Value

☒ Motor Vehicle #1
Year, make & model 2013 Chrysler 300
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
	$	$
	$	$
	$	$

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
Javonna James	Daughter	22 Years old
Darius James	Son	24 Years old

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	$ 0	$ 0
Utilities (electricity, heating fuel, water, sewer, and telephone)	$	$ 1055
Home maintenance (repairs and upkeep)	$	$ 100
Food	$	$ 800.00
Clothing	$	$ 0
Laundry and dry-cleaning	$	$ 60.00
Medical and dental expenses	$ -4000.00	$ 0

	You	Your spouse
Transportation (not including motor vehicle payments)	$ 0	$ 0
Recreation, entertainment, newspapers, magazines, etc.	$ 0	$ 26.00
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	$ 0	$
Life	$ 0	$ 0
Health	$ 0	$ 271
Motor Vehicle	$	$ 105
Other:	$	$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify):	$	$
Installment payments		
Motor Vehicle	$	$
Credit card(s)	$	$
Department store(s)	$	$
Other:	$	$
Alimony, maintenance, and support paid to others	$	$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	$	$
Other (specify):	$	$
Total monthly expenses:	$	$ 2,417.00

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.

In the last two years I filed Bankruptcy and I stay home to care for my disabled daughter and my wife works and pays the bills.

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

Executed on: October 28, 2026

William Jones
(Signature)

CERTIFICATE OF SERVICE

We, Terri Lowe and William James, hereby certify and declare under penalty of perjury, pursuant to Supreme Court Rule 29 and 28 U.S.C. § 1746, that on this 28th day of October 2026, we caused true and correct copies of the following documents: 1. Motion for Leave to Proceed in Forma Pauperis (including the separate supporting financial declarations of Terri Lowe and William James); 2. Petition for a Writ of Mandamus and Accompanying Appendices; to be served upon each party to the proceeding, their counsel of record, and all nominal respondents, by depositing said documents in the United States Postal Service, with first-class postage fully prepaid [or: via commercial carrier with delivery fees prepaid], properly addressed as follows:

Respondents Attorneys:

Clerk of the Court
Judge Thomas W. Thrash, Jr
NDGA
Atlanta Division
75 Ted Turner Dr. SW
Floor 22
Atlanta, GA 30303

Clerk of Court
U.S. Court of Appeals
for the 11th Circuit
56 Forsyth St. NW
Atlanta, GA 30303

D. John Sauer
Solicitor General of the United States Room 5616, Department of Justice 950 Pennsylvania Avenue,

Pryor Cashman, LLP
Tom J. Ferber
7 Times Square
New York, NY 10036
N.W. Washington, DC 20530-0001

Matthew A. Boyd
TUCKER ELLIS LLP
3344 Peachtree Street NE,
Suite 1050
Atlanta, GA 30326
Phone: (404) 678-6365
Fax: (404) 678-6380
Email: Matthew.Boyd@tuckerellis.com

Richard Gordon, PC
223 Brookcliff TRC
Marietta, GA 30068

Date: October 28, 2026

Terri Lowe (Tucker)
Pro Se Petitioner
Address: 1136 Joslin Path
Douglasville, GA 30134
Phone: 678-822-4593
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