

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Donice Noelle Smith PETITIONER
(Your Name)

VS.

Christine "TINA" KoteK 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):

OREGON Supreme Court

☐ 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.

Donice Noelle Smith
(Signature)

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

I, Donice Noelle Smith, 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	\$ 0	\$ 0	\$ 0
Self-employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child Support	\$ 0	\$ 0	\$ 0	\$ 0
Retirement (such as social security, <u>pensions</u> , annuities, insurance)	\$ <u>24,240</u>	\$ <u>14,400</u>	\$ <u>2,020</u>	\$ <u>1,200</u>
Disability (such as <u>social</u> <u>security</u> , insurance payments)	\$ <u>13,200</u>	\$ <u>18,000</u>	\$ <u>1,100</u>	\$ <u>1,500</u>
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify): _____	\$ 0	\$ 0	\$ 0	\$ 0
Total monthly income:	\$ <u>37,440</u>	\$ <u>32,400</u>	\$ <u>3,120</u>	\$ <u>2,700</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.) ☒

Senior
70

Employer	Address	Dates of Employment	Gross monthly pay
NA	NA	NA	\$
NA	NA	NA	\$
NA	NA	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.) ☒

Senior
72

Employer	Address	Dates of Employment	Gross monthly pay
NA	NA	NA	\$
NA	NA	NA	\$
NA	NA	NA	\$

4. How much cash do you and your spouse have? \$ 281.00
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
<u>checking</u>	\$ <u>1,300.00</u>	\$ <u>1,925.00</u>
NA	\$	\$
NA	\$	\$

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

☒ Home \$350,000.00
Value 350,000.00

☒ Other real estate land
Value \$186,000

☒ Motor Vehicle #1
Year, make & model 2016 chev
Value \$3,200

☒ Motor Vehicle #2
Year, make & model Ford
Value \$16,800

☐ Other assets
Description ~~NA~~
Value ~~NA~~

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

~~0~~
~~0~~
~~0~~

\$ ~~0~~
\$ ~~0~~
\$ ~~0~~

\$ ~~0~~
\$ ~~0~~
\$ ~~0~~

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
Justin Davis	Son disabled	32
NA	NA	NA

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.

- ✓ Rent or home-mortgage payment (include lot rented for mobile home)
Are real estate taxes included? ☒ Yes ☐ No
Is property insurance included? ☒ Yes ☐ No

- ✓ Utilities (electricity, heating fuel, water, sewer, and telephone)

Home maintenance (repairs and upkeep)

Food

Clothing

Laundry and dry-cleaning

Medical and dental expenses

You

Your spouse

\$ 1,800	\$ Shared
\$ 800	\$ Shared
\$ 90	\$ 90
\$ 300 ⁺	\$ 300 ⁺
\$ 20	\$ 15
\$ 30	\$ 30
\$ 420.00	\$ 420.00

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 150 ⁰⁰	\$ 200 ⁰⁰
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 0
<u>Insurance (not deducted from wages or included in mortgage payments)</u>		
Homeowner's or renter's	\$ 0 ✓	\$ 0 ✓
Life	\$ NA	\$ NA
Health \$ medicare	\$ 165 ⁰⁰	\$ 165 ⁰⁰
Motor Vehicle	\$ 125 ⁰⁰	\$ 125 ⁰⁰
Other: NA	\$ 0	\$ 0
<u>Taxes (not deducted from wages or included in mortgage payments)</u>		
(specify):	\$ 65 ⁰⁰ OR state	\$ 0
<u>Installment payments</u>		
Motor Vehicle	\$ 250 ⁰⁰	\$ 108 ⁰⁰
Credit card(s)	\$ 130 ⁰⁰	\$ 150 ⁰⁰
Department store(s)	\$ 0	\$ 0
Other: Star Card	\$ 40 ⁰⁰	\$ 0
Alimony, maintenance, and support paid to others	\$ 0	\$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ 0
Other (specify): NA	\$ 0	\$ 0
Total monthly expenses:	\$ 1,690	\$ 1,378

+
 \$1,800 Home mort
 800⁺ util

 2,600

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:

NA

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:

NA

12. Provide any other information that will help explain why you cannot pay the costs of this case.

Too many outstanding bills and helping extended family convalesce without them having to turn to public assistance. My case costs were waived by OREGON Supreme Court.

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

Executed on: 12 OCT, 2025

Donice A. Smith
(Signature)