

Mr. James McNeil

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CASE NO. 08 CV 2234 G
08 CV 2241 CPE BCMK

P.O. Box 290066
Repres, Calif. 95671-0066

FILED

FEB 9 2009

E-59262

AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* FORM CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

I, James McNeil, 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	\$ <u>40.00</u>	\$ <u>NONE</u>	\$ <u>50.00</u>	\$ <u>800.00</u>
Self-employment	\$ <u>NONE</u>	\$ <u>NONE</u>	\$ <u>NONE</u>	\$ <u>NONE</u>
Income from real property (such as rental income)	\$ <u>State</u>	\$ <u>1,200.00</u>	\$ <u>State</u>	\$ <u>1,200.00</u>
Interest and dividends	\$ <u>State</u>	\$ <u>900.00</u>	\$ <u>NONE</u>	\$ <u>700.00</u>
Gifts	\$ <u>40.00</u>	\$ <u>300.00</u>	\$ <u>50.00</u>	\$ <u>200.00</u>
Alimony	\$ <u>State</u>	\$ <u>NONE</u>	\$ <u>State</u>	\$ <u>NONE</u>
Child Support	\$ <u>NONE</u>	\$ <u>400.00</u>	\$ <u>NONE</u>	\$ <u>200.00</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>State</u>	\$ <u>1,100.00</u>	\$ <u>State</u>	\$ <u>1,400.00</u>
Disability (such as social security, insurance payments)	\$ <u>State</u>	\$ <u>700.00</u>	\$ <u>1,400.00</u>	\$ <u>1,200.00</u>
Unemployment payments	\$ <u>State</u>	\$ <u>NONE</u>	\$ <u>State</u>	\$ <u>SSI</u>
Public-assistance (such as welfare)	\$ <u>State</u>	\$ <u>NONE</u>	\$ <u>State</u>	\$ <u>SOCIAL Security income</u>
Other (specify): <u>Canteen</u>	\$ <u>20.00</u>	\$ <u>1,200.00</u>	\$ <u>State</u>	\$ <u>Retirement checks</u>
Total monthly income:	\$ <u>50.00</u>	\$ <u>1,900.00</u>	\$ <u>40.00</u>	\$ <u>1,900.00</u>

(PC) McNeil v. Walker et al

Doc. 17 Att. 2

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
IRS	\$ 800.00	\$
SOCIAL SECURITY	\$	\$ 900.00
Retirement Checks	\$	\$ 1,200.00

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

Name	Relationship	Age
Ms. JY CALVIN	Step Mother	60 yrs 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)	\$ State	\$ 1,200.00
Are real estate taxes included? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no		
Is property insurance included? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ State	\$ 350.00
Home maintenance (repairs and upkeep)	\$ State	\$ 150.00
Food	\$ State	\$ 450.00
Clothing	\$ State	\$ 200.00
Laundry and dry-cleaning	\$ State	\$ 80.00
Medical and dental expenses	\$ State	\$ Medical Insurance

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>State</u>	\$ <u>BUS \$40.00</u> <i>Almost</i>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>State</u>	\$ <u>150.00</u>
Insurance (not deducted from wages or included in mortgage payments)		<i>Renter's</i>
Homeowner's or renter's	\$ <u>State</u>	\$ <u>550.00</u>
Life	\$ <u>State</u>	\$ <u>NONE</u>
Health	\$ <u>State</u>	\$ <u>200.00</u>
Motor Vehicle	\$ <u>State</u>	\$ <u>BUS \$40.00</u>
Other: <u>PACKAGES - QUARTERLY</u>	\$ <u>80.00</u>	\$ <u>NONE</u>
Taxes (not deducted from wages or included in mortgage payments) (specify): <u>APARTMENT RENTED OUT</u>	\$ <u>State</u>	\$ <u>550.00</u>
		<i>to step mother!</i>
Installment payments		
Motor Vehicle	\$ <u>State</u>	\$ <u>BUS \$40.00</u>
Credit card(s)	\$ <u>State</u>	\$ <u>food VAlTures</u>
Department store(s)	\$ <u>State</u>	\$ <u>200.00</u>
Other: <u>Concert</u>	\$ <u>State</u>	\$ <u>150.00</u>
Alimony, maintenance, and support paid to others	\$ <u>State</u>	\$ <u>350.00</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>State</u>	\$ <u>SSI</u>
Other (specify): <u>POETRY AND ART WORK</u>	\$ <u>State</u>	\$ <u>Retirement</u>
		<u>checks</u>
Total monthly expenses:	\$ <u>State</u>	\$ <u>900.00</u>

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? no!

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 Am Indigent, plus I donot go to the Canteen Store Very much.

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

Executed on: James McNeil ~~James McNeil~~ 2-5-2009

McNeil

PROOF OF SERVICE

(C.C.P. §2015.5; 28 U.S.C. §1745)

I, James McNeil, am over the age of eighteen (18) years, and I (am) (am not) a party to the within cause of action. My address is:

A-5-112 SAC-4
P.O. Box 290066
RepresA, Calif
95671-0066

On, 2-5-2009 ~~10-27-2008~~, I served the following documents: 1-IN forma Pauperis
~~CLASS ACTION 1973 CIVIL COMPLAINTS~~
~~CIVIL COVER SHEET, 1 IN forma PAUPERIS~~
~~LETTER TO CLERK, 1 GOV APPEAL~~ on the below named individuals by depositing true and correct copies thereof in the United State mail in Represa, California, with postage fully prepaid thereon, addressed as follows:

~~1. [REDACTED]~~ ~~[REDACTED]~~
~~[REDACTED]~~
~~[REDACTED]~~
~~[REDACTED]~~

I have read the above statements and declare under the penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Executed this Tuesday ~~Wednesday~~ day of February ~~October~~ 5th ~~21st~~ 2009 ~~2008~~, at California State Prison at Sacramento, Represa, California.

(Signature) James McNeil
Declarant