# Supreme Court Official Form Q

### IN THE SUPREME COURT OF THE STATE OF DELAWARE

[1]			<b></b> ,	§						
	[2] Appe	llant,		\$\text{\tin}\text{\tetx{\text{\tetx{\text{\text{\text{\text{\text{\text{\text{\text{\text{\text{\ti}\\\ \ti}\\\ \text{\text{\text{\text{\text{\text{\text{\texi}\tint{\text{\text{\text{\texitile}}\\ \text{\text{\text{\text{\tetx{\texi}\text{\texititt{\text{\texitile\texit{\texi}\text{\texinter{\texitint{\texitilex{\tin}\texit{\texitilex{\texi}\ti	No. [	5]	, 2	20		
[3]	v.		,	8 8 8						
	[ <b>4</b> ] Appe	ellee.	_ Below-	\$ \$						
		Motion	and Affidavi	t to I	rocee	d In Fo	rma l	Paupei	<u>ris</u>	
	(1)	Pursuant	to Supreme C	Court	Rule 2	20(h) aı	nd 10	Del. C	. §§ 88	802-04, I,
[1]			, sv	wear	or affii	rm that	the in	format	ion con	tained in
this n	notion	and affida	vit is true and	d cor	rect an	d made	unde	r penal	lty of p	erjury. I
decla	re that	I am the a	ppellant in th	e abo	ve-cap	otioned	case a	and tha	ıt becau	ise of my
povei	rty I a	ım unable	to make pre	payn	nent of	f fees o	or cos	ts or 1	to give	security
there	fore. I	believe that	at I am entitle	ed to 1	elief.					
	(2)	I appeal f	rom an order	of th	e [6]_				_ Cour	t, entered
on th	e date	of [ <b>7</b> ]				_ in the	e case	of [8]		v.
		, No.	[9]				<b>.</b>			
	(3)	You must	circle either	A or	B belo	ow and	comp	lete th	e infori	mation in
the se	elected	paragraph	:							

A.	I am presently emp	ployed. The n	ame and a	ddress of m	ny employe	r are
[10]		·	The total	amount of	f my salar	y or
wages is [1	1]\$ per		[e.g., week	or month].		
В.	I am not employed	l. My last dat	e of emplo	yment was	[12]	·
The na	me and ado	dress of	my	last e	employer	is
[13]			The tota	al amount I	last receive	ed as
salary or v	vages was [14]\$	·	I present	ly receive	unemploy	ment
compensati	on in the weekly am	ount of [15]\$_			. [If this doe	es not
apply, write "	N/A."]					
(4)	I am/am not marri	ed. [Circle appr	ropriate resp	onse.] If y	ou are mar	ried,
please prov	ide your spouse's na	me: [ <b>16</b> ]			•	My
spouse is/is	not [Circle appropria	te response.] en	nployed. N	My spouse's	s total sala	ry or
wages is [1	7]\$	per	·			
(5)	You must circle eit	her "yes" or "	no" for eac	ch statemen	t below. I	have
received wi	thin the last 12 mont	hs money fror	n:			
	a business, profess	ion, or self-em	ployment	yes	no	
	rent payment, inter	est, or dividen	ds	yes	no	
	pensions, annuities		payments	yes	no	
	gifts or inheritance	S		yes	no	
	any other source			yes	no	

If the answer is "yes" to any portion of the above statement, please describe each source of income and the total amount received within the last 12 months:

[18]			
_			

(6) I, and/or my spouse, have [19]\$\_\_\_\_\_ in cash and [20]\$\_\_\_\_ in either individual or joint checking or savings accounts (including funds in prison accounts). The accounts in which I and/or my spouse hold money are:

Type of Account No. Name of Bank/Institution Acct. Balance

(7) You *must* circle either "yes" or "no" for each statement below, whether title is held in your or your spouse's name alone or jointly held by either one of you with another person(s).

I, or my spouse, own individually or jointly:

real estate	yes	no
bonds or stocks	yes	no
notes	yes	no
cars	yes	no
other valuable property (except ordinary	yes	no
household furnishings and clothes)		

If the answer is "yes" to any statement above, you must provide further information in the space provided. If you own real estate, please provide the

address OR Tax Parcel ID for each parcel of real estate, the current value of the property, and the amount of any mortgages or liens against the property. For other personal property marked "yes" above, please describe the property, its approximate current value, and the amount of any liens against the property.

<u>Description of Property</u> <u>Current Value</u> <u>Amount of Lien</u>

(8) I do/do not have dependents. [Circle appropriate response.] Please provide the names, ages, and addresses of any dependents:

<u>Name</u> <u>Age</u> <u>Address</u>

(9) I have the following debts and regular monthly expenses:

(10) You must circle either A or B below and complete the information, as appropriate:

A. I have previously moved to proceed in forma pauperis in the Supreme Court of Delaware. For each case, please provide the case name and number and indicate whether the request was granted or denied.

<u>Case Name</u> <u>Case Number</u> <u>Granted/Denied</u>

- B I have not previously moved to proceed in forma pauperis in the Supreme Court of Delaware.
- (11) You must circle either A or B below and complete the information, as appropriate:
- A. I have never been found by any court to have abused the judicial process by filing frivolous or malicious litigation.
- B. I previously have been found by a court in Delaware to have filed factually frivolous, legally frivolous, or malicious litigation and have been enjoined from filing future claims without leave of court. For each case, please provide the case name, the case number, and the court issuing the injunction:

<u>Case Name</u> <u>Case Number</u> <u>Court</u>

(12) If you circled B in Question 11, then you are required to make the following certifications pursuant to 10 Del. C. § 8803(e):

#### I hereby certify that:

- (i) The claims I seek to raise in the current matter have never been raised or disposed of before in any court;
  - (ii) The facts alleged are true and correct;
- (iii) I have made a diligent and good faith effort to determine what relevant case law controls the legal issues I seek to raise;
- (iv) I have no reason to believe that the claims are foreclosed by controlling law; and
  - (v) I understand that this affidavit is made under penalty of perjury.
- (13) I am/am not an inmate [Circle the appropriate response]. If you are an inmate, you must have the Department of Correction fill out the attached certified statement of your inmate account.
- (14) I understand that, if I am permitted to proceed in forma pauperis in this matter and the Court later dismisses this action or otherwise enters a judgment against me, then the Court may require me to pay all costs and fees associated with

this	action	and,	if so	ordered,	shall	retain	jurisdiction	over	me	until	the	costs	and
fees	are pai	id.											

WHEREFORE, having shown	just cause	for relief,	appellant	moves	to
leave to proceed in forma pauperis.					
	Appe	llant			
SWORN AND SUBSCRIBED	before me	this	day	of	
·					
	Notai	ry Public			
My commission expires	<del>.</del>	, 20			

## The following section must be completed if the appellant is incarcerated.

I hereby certify that the appellant named herein has the sum of
[21]\$ on account to the appellant's credit at the institution where the
appellant is confined. I further certify that the appellant has the following
securities to the appellant's credit according to the institution's records:
[22]
Authorized Officer of Institution

[1]	§ 8 N. 171
[2]Below-Appellant,	<pre> § No. [5], 20 § § § 8</pre>
v. [3]	\$ \$ \$ 8
[ <b>4</b> ]Below-Appellee.	<pre> § No. [5], 20  § § § § § § § § § § § § § § § § §</pre>
<u>(</u>	<u> </u>
Thisday of	,, upon consideration of
appellant's motion for leave to proce	eed in forma pauperis, it is hereby ORDERED
that appellant be GRANTED/DENIE	ED leave to proceed in forma pauperis, limited
only to waiver of the docketing depo	sit required by Supreme Court Rule 20(a).
	BY THE COURT:
	Justice

#### **Instructions for IFP Motion:**

- [1] Appellant's name.
- [2] Appellant's lower court status.
- [3] Appellee's name.
- [4] Appellee's lower court status.
- [5] Supreme Court appeal number, if known.
- [6] Lower court.
- [7] Date of decision on appeal.
- [8] Lower court case caption.
- [9] Lower court case number.
- [10] Name and address of your employer.
- [11] Total amount of salary or wages per week, month, or year as indicated.
- [12] Date you were last employed.
- [13] Name and address of your last employer.
- [14] Total amount of salary or wages you last received.
- [15] Weekly unemployment compensation, if any.
- [16] Spouse's name.
- [17] Spouse's total monthly salary or wages.
- [18] If any answer is "yes" to question 5, describe each source of income and the total amount received within the last 12 months.
- [19] Total amount of cash on hand held by appellant and/or appellant's spouse.

- [20] Total amount of funds available in individual or joint checking or savings accounts, including funds in prison accounts.
- [21] The amount on account at the institution where the appellant is confined.
- [22] Securities to appellant's credit according to institution's records.