

1 Thomasita E. Taylor  
 2 2516 W. Washington Street  
 3 Phoenix, AZ 85009-5104

4 Defendant *Pro Se*

5  
 6 **IN THE UNITED STATES DISTRICT COURT FOR THE**  
 7 **DISTRICT OF ARIZONA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 THOMASITA E. TAYLOR,

12 Defendant.

Civil No. 2:09-cv-00341-ROS

**MOTION FOR PERMISSION TO  
 APPEAL IN FORMA PAUPERIS**

14 I, Thomasita E. Taylor (herein "Ms. Taylor"), declare that I am the Defendant in the  
 15 above-entitled proceeding. In support of my application to proceed without being required to  
 16 prepay all fees and costs, including filing fees, photocopy fees, court reporter fees, audio fees,  
 17 and transcriber costs, or give security therefore, which are necessary for the preparation of the  
 18 record on appeal, and due to of my poverty, I am unable to pay the costs of said proceeding or  
 19 give security therefore; that I believe I am entitled to relief. The nature of my action is briefly  
 20 stated but not limited to the following:

- 21
- 22 A. The IRS breached its Installment Agreement with me by filing this
  - 23 lawsuit. I entered into an Installment Agreement with the IRS and had
  - 24 been making regular monthly payments. I was late with one payment and
  - 25 sent another payment to the wrong address, after which I received the
  - 26 complaint reducing my tax assessments to judgment.
  - 27 B. The United States does not have jurisdiction over the subject matter and
  - 28 there is no express act of Congress or Executive Order providing the
  - Internal Revenue Service ("IRS") jurisdiction to operate in the United
  - States.

C. Ms. Taylor was denied a trial by jury as guaranteed under the U. S. Constitution.

In further support of this application, I answer the following questions:

1. Are you presently employed?  Yes  No

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer:

b. Employer: Isaac School District #5, 3348 West McDowell Road,  
Phoenix, Arizona 85009

Salary/wages per month: approximately \$428.00

Position: substitute teacher

Dates of Employment: August, 2003-present

2. Are you married?  Yes  No

a. If the answer is "Yes," state the amount of your spouse's salary or wages per month, and give the name and address of his employer:

Not applicable.

b. If the answer is "Yes," is our spouse dependent on your financial support?

Yes  No

3. Do you have any children?  Yes  No

a. If the answer is "Yes," state all of your children's names and their ages below:

Not applicable.

b. If the answer is "Yes," are the children dependent on your financial support?  Yes  No

4. List any other persons other than your spouse (if any) and your children (if any) who are dependent on your financial support (please state your relationship to them and how much you contribute toward their support):

None.

5. Have you received within the past 12 months any money from any of the following sources:

a. Business, profession or other form of self employment.

\_\_\_\_\_ Yes  X  No

b. Rent payments, interest or dividends.

\_\_\_\_\_ Yes  X  No

c. Pensions, annuities or life insurance payments.

X  Yes \_\_\_\_\_ No

d. Gifts or inheritances. \_\_\_\_\_ Yes  X  No

e. Family and/or friends. \_\_\_\_\_ Yes  X  No

f. Any other source. \_\_\_\_\_ Yes  X  No

6. If the answer to any of the above is "Yes," describe each source of money and state the amount received from each during the past 12 months.

c. pension Gross amount: \$3,462.00 per month x 12=\$41,544.

7. Do you own any cash, or do you have any money in checking or savings accounts?  X  Yes \_\_\_\_\_ No

If your answer is "Yes," state the total value of items owned:

**Savings: \$25.00 Desert Schools Federal Credit Union**

**Checking is closed. Desert Schools Federal Credit Union**

8. Do you own or have any interest in any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?  X  Yes \_\_\_\_\_ No

If your answer is "Yes," describe the property, state its approximate value, whether or not you have any outstanding mortgages, liens, or debts secured by that property and, if so, the unpaid balances of that debt:

**Mother's house 2516 West Washington Street, Phoenix, Arizona, 85009-5104; approximate current appraisal \$37,750.00, \$0 balance.**

1 **My house 1836 West Mohave Street, 85007-4034; approximate current appraisal**  
2 **\$37,750.00; I have two mortgages on this house which total approximately**  
3 **\$68,158.**

4 **My automobile is a 2002 Dodge Neon SXT with some body damage; Blue Book**  
5 **estimate is \$3,000.00.**

6 **A Notice of Federal Tax Lien has been placed on the houses and the car for**  
7 **approximately \$184,000.00, plus penalties and interests.**

8 **Viola purchased in 1981 for \$2,000.**

9 9. List all expenses and state the total amount of expenses, of any and all kinds,  
10 which you paid during the past six months. PLEASE BE SPECIFIC.

11 **Home mortgage for 1836 West Mohave Street \$1030. per month x 6=\$6180;**  
12 **utilities for same \$20 per month x 6=\$120; home maintenance for same \$45**  
13 **per month x 6= \$270; food \$80 per month x6=\$480; clothing \$5 per month x**  
14 **6=\$30; laundry and dry-cleaning \$5 per month x 6=\$30; medical and dental**  
15 **expenses including insurance premiums, medications, office visits, lab tests**  
16 **\$637 per month x 6= \$3822; transportation auto repairs, gas, oil \$94 per**  
17 **month x6=\$564; recreation, entertainment, newspapers, magazines \$15 per**  
18 **month x6=\$90; term life insurance \$2x6=\$12; auto insurance \$89 per month**  
19 **x6=\$534; state vehicle tax \$5 per month x 6=\$30; Fashion Bug clothing**  
20 **boutique \$25 per month x 6=\$150; Catherine's clothing boutique \$25 per**  
21 **month x 6=\$150; regular business expenses (see addendum) \$45 per month x**  
22 **5=\$225; Line of Credit loan payment to Desert Schools Federal Credit Union**  
23 **\$55 per month x6=\$330; professional expenses(see addendum)piano lessons to**  
24 **keep up my music teaching skills \$48 per month x6=\$288I also pay a yearly**  
25 **premium of \$535 for flood insurance for 1836 West Mohave which is taken**  
26 **out of the escrow account.**

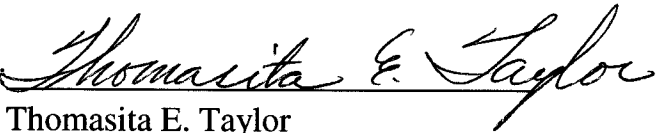
27 List any SPECIFIC exceptional reasons or circumstances that you feel entitle you  
28 to proceed in forma pauperis and/or that entitle you to be represented by a court  
appointed attorney.

29 **I was on an installment agreement for approximately 12-14 months paying**  
30 **an average of \$960 per month. Before I was placed on the agreement, I paid**  
31 **\$500 per month for about three or four months. It put me behind in paying**  
32 **bills and I am still trying to catch up.**

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

34 ...

1 DATED this 1st day of November, 2010.  
2

3 By 

4 Thomasita E. Taylor  
5 2516 W. Washington Street  
6 Phoenix, AZ 85009-5104  
7 Defendant *Pro Se*  
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Form 4. Affidavit Accompanying Motion for Permission to Appeal in Forma Pauperis

United States District Court for the District of Arizona

A.B., Plaintiff

United States of America

v.

Case No.: 2:09-cv-00341-ROS

C.D., Defendant

Thomasita E. Taylor

Affidavit in Support of Motion	Instructions
<p>I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C § 1621.)</p>	<p>Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.</p>
<p>Signed: <u>Thomasita E. Taylor</u></p>	<p>Date: <u>November 1, 2010</u></p>

My issues on appeal are: contained in the motion following

- (e) 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.