

1.04 | WHAT TO FILE

Unless you are an inmate confined in an institution and not represented by counsel, file:

- An original and ten copies of a motion for leave to proceed in forma pauperis and an original and 10 copies of an affidavit or declaration in support thereof. See Rule 39.
- An original and 10 copies of a petition for a writ of certiorari with an appendix consisting of a copy of the judgment or decree you are asking this Court to review including any order on rehearing, and copies of any opinions or orders by any courts or administrative agencies that have previously considered your case. See Rule 14.1(i).
- One affidavit or declaration showing that all opposing parties or their counsel have been served with a copy of the papers filed in this Court. See Rule 29.

If you are an inmate confined in an institution and not represented by counsel, you need file only the original of the motion for leave to proceed in forma pauperis, affidavit or declaration when needed in support of the motion for leave to proceed in forma pauperis, the petition for a writ of certiorari, and proof of service.

If the court below appointed counsel in the current proceeding, no affidavit or declaration is required, but the motion should cite the provision of law under which counsel was appointed, or a copy of the order of appointment should be appended to the motion. See Rule 39.1.

The attached forms may be used for the original motion, affidavit or declaration, and petition, and should be stapled together in that order. The proof of service should be included as a detached sheet, and the form provided may be used.

The Court's practice is to scan and make available on its website most filings submitted by litigants representing themselves. The Court scans petitions, motions to proceed in forma pauperis, proofs of service, and the portion of an appendix that includes relevant lower court opinions and rulings. While the Court does not scan other portions of an appendix from a pro se litigant, the entire appendix is fully a part of the Court's record and is available to the Justices.

(US Supreme Court // Washington, DC 20543 // © 2023)

