

1 MICHAEL FOLEY
2 209 S. Stephanie St. Ste B-191
3 Henderson, NV 89012
4 Telephone: (702) 771-9725
5 Defendant in Proper Person

FILED

APR 16 2020

ELIZABETH A. CROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

6
7 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

8 Michael Foley

9 Appellant,

10 vs.

Case No. 80958

11 Patricia Foley

12 Respondent.

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14
15 **MOTION TO PROCEED IN FORMA PAUPERIS OR ALTERNATIVELY TO**
16 **EXTEND TIME TO SATISFY FEE REQUIREMENT**
17

18 COMES NOW, appellant Michael Foley, and hereby moves this honorable court for
19 leave to proceed in forma pauperis, or otherwise extend the time required to satisfy the
20 outstanding filing fee requirement. This motion is made pursuant to NRAP 24. If the
21 application to proceed in forma pauperis portion of this brief is eligible to be sealed, then
22 this appellant respectfully requests that such be sealed by the Court.

23 On March 31, this appellant filed a NOTICE OF APPEAL in the action R-162425.
24 This appellant was unaware that the order allowing him to proceed in forma pauperis,
25 issued by the District Court in or about the year 2016, had expired. Now that there is a
26 filing fee due, and no order allowing him to proceed in forma pauperis is in operation, this
27 appellant requests that the Supreme Court allow him to proceed in this appeal without
28 paying the filing fee based on the application to proceed in forma pauperis that has been

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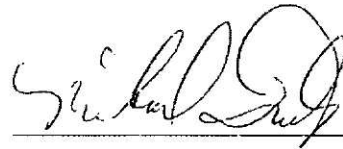
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DEPUTY CLERK

1 contemporaneously filed in the District Court. See Exhibit "1" The appellant does not
2 know how long that the District Court will take to rule on this application, therefore if the
3 Supreme Court does not accept the application attached herewith, and prefers to wait for
4 the District Court to make the ruling, then an extension of time is respectfully requested.
5 It's very doubtful that the District Court will find just cause to DENY the application.
6 given the Statewide shutdown of businesses. This appellant does not work in the medical
7 profession or in the business of transporting goods, so he is unable to work and make
8 money until the government lifts "the shelter in place" orders.

9 **CONCLUSION**

10 Because the appellant cannot afford to pay the filing fee to proceed in this appeal,
11 the Supreme Court should either waive the filing fee, given this state of national health
12 emergency, or at least extend the time necessary to obtain an order, and allow the District
13 Court make its ruling.

14 DATED this 13th day of April, 2020.

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17 Michael Foley, Appellant in Pro Per
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1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that the respondent, Patricia Foley, was served the
3 foregoing MOTION TO PROCEED IN FORMA PAUPERIS OR ALTERNATIVELY TO
4 EXTEND TIME TO SATISFY FEE REQUIREMENT via 1st class U.S. mail on April 13,
5 2020.

6
7 Patricia Foley
8 8937 Austin Ridge Avenue
9 Las Vegas, Nevada 89178
10

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12 DATED this 13th day of April, 2020.

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15 _____
16 Michael Foley, Appellant in Pro Per
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28 **EXHIBIT "1"**