

FILED

MAY 31 2022

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

1 DUSTIN BARRAL #1108615

2 LCC

3 1200 PRISON RD

4 LOVELOCK, NV 89419

5 PLAINTIFF in Pro Se

6

7

DISTRICT COURT

No. 84721

8

CLARK COUNTY, NEVADA

9

10 Dustin James Barral,

11 Plaintiff,

12 v.

Case no: D-12-458737-Z

Dept: W

13 Megan Elizabeth Johnson,

14 Defendant

15

16 MOTION TO PROCEED IN FORMA PAUPERIS / AFFIDAVIT FOR IN FORMA PAUPERIS

17 Comes Now, Dustin Barral, plaintiff in pro se, seeking to be granted leave to
18 proceed in forma pauperis in his appeal of the above case.

19

20

AFFIDAVIT

21 I, Dustin James Barral being first duly sworn, depose and say that I am
22 the plaintiff, in the above-entitled case, that in support of my motion to
23 proceed on appeal without being required to prepay fees, costs or give security
24 therefore, I state that because of my poverty I am unable to pay the costs said
25 proceeding or to give security therefor; that I believe I am entitled to redress; and

26 that the issues which I desire to present on appeal are the following:

27 1. The court erred when setting my zero child support order to begin March 1st, 2022.

28 because District Court did not notify me every three years, as stated in NRS

22-17238

MAY 31 2022

1 125B.145(3), that I could modify my child support order. The zero support order
2 should begin on March 29th, 2015 due to error. 2. The Court erred when allowing
3 the defendant, Megan Johnson, to file a new motion and Schedule of Arrears for
4 the Court's consideration because she impliedly waived her rights to said arrears. 3.
5 NRS 125B.140 is unconstitutional in part due to vested rights. Child support should not
6 count as a vested right, if the parent does not seek arrears when the arrears
7 commence. 4. The NRS that states that there is no statute of limitations is
8 unconstitutional because it places an undue burden on the plaintiff when the defendant
9 never sought the arrears because they were not needed.

10 I further swear that the responses which I have made to the questions
11 and instructions below relating to my ability to pay the cost of prosecuting the
12 appeal are true.

13 1. Are you presently employed?

14 Yes, I am. I am incarcerated and work in the culinary as a Prep Cook at
15 Lovelock Correctional Center, 1200 Prison Rd, Lovelock, NV 89419 for \$30/month.

16 2. Have you received within the past 12 months any income from a business,
17 profession or other form of self-employment, or in the form of rent payments, interest,
18 dividends, or other sources?

19 No.

20 3. Do you own any cash or checking or savings account?

21 No.

22 4. Do you own any real estate, stocks, bonds, notes, automobiles, or other
23 valuable property?

24 No.

25 5. List the persons who are dependent upon you for support and state your
26 relationship to those persons.

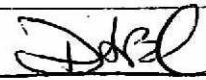
27 1. Levi Barral - son

28 2. Joshua Barral - son

1 It should be noted that I have been incarcerated since 5/31/13 and have been
2 unable to support my sons.

3 I understand that a false statement or answer to any questions in
4 this affidavit will subject me to penalties for perjury. The above motion
5 does not contain the social security number for any person.

6 Dated this 25th day of May, 2022.

7
8 

9 Dustin Barrel
10 plaintiff in pro se

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15 _____ subscribed and sworn to me before this
16 day of _____, 2022, let the applicant proceed without prepayment
17 of costs or fees or the necessity of giving security therefor.

18
19
20 _____
21 (Superior) (District) Judge
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CERTIFICATE OF SERVICE

I hereby declare that I provided a true and accurate copy of the foregoing MOTION TO PROCEED IN FORMA PAUPERIS / AFFIDAVIT FOR IN FORMA PAUPERIS was sent to the following address(es) on May 25th, 2022, via 1st Class U.S. Mail.

Megan Johnson
4478 E. Quail Ave
LV, NV 89120

Executed on May 25th, 2022


Dusha Baral

Supreme Court Clerk of the Court,

5/25/22

My name is Dushin Barral and I'm writing in regards to Supreme Court no. 84721 (District Court Case no. D456737). I filed my Motion for Informa Buperis in District Court on May 25th, 2022. Well that's the day I mailed it. I included a copy of the motion for the Courts record as well. I hope this satisfies my outstanding issues I have.

Sincerely,
Dushin Barral


Dushin Barral #1108615

LCC

1200 Prison Rd

Lowell, NV 89419

