

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

MAR 09 2012

LAWRENCE K. BAERMAN, CLERK
ALBANY

JOSEPH J. O'HARA,

Civil Action No. 1:12-CV-252 (GLS/ATB)

PLAINTIFF

v.

KEITH A. RANIERE et al,

DEFENDANTS

PLAINTIFF'S SUPPLEMENTAL MOTION TO PROCEED *IN FORMA PAUPERIS*

On February 9, 2012, the Plaintiff filed the above-listed action, on a *pro se* basis, with this Court. At that time, the Plaintiff also submitted an application to proceed *in forma pauperis* (IFP).

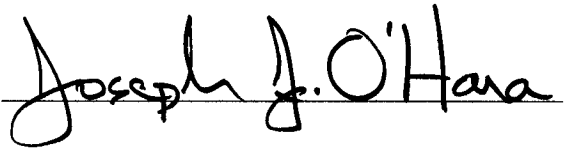
On February 16, 2012, this Court issued a Decision and Order that denied, without prejudice, the Plaintiff's application to proceed IFP. In that same Decision and Order, this Court set a deadline of March 9, 2012 for the Plaintiff to file a supplemental motion to proceed IFB or to pay the applicable filing fee.

In conjunction with this supplemental motion, the Plaintiff is submitting herewith a completed version of this Court's standard "Application To Proceed In District Court Without Prepaying Fees Or Costs (Short Form)". In addition, the Plaintiff is also submitting herewith his Affidavit in support of this supplemental motion.

The Plaintiff respectfully requests that this Court grant his supplemental motion to proceed IFB.

Dated: March 8, 2012

Albany, NY

By: 

JOSEPH J. O'HARA, *Pro Se* Plaintiff
99 VLY ROAD
COLONIE, NY 12205
(518) 506-3840

AO 240 (Rev. 07/10) Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form)

UNITED STATES DISTRICT COURT

for the

Northern District of New York



Joseph J. O'Hara

Plaintiff/Petitioner

v.

Keith A. Ranieri

Defendant/Respondent

)
)
)
)
)

Civil Action No. 1:12-cv-252

APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS (Short Form)

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested.

In support of this application, I answer the following questions under penalty of perjury:

1. If incarcerated. I am being held at: N/A

If employed there, or have an account in the institution, I have attached to this document a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in my name. I am also submitting a similar statement from any other institution where I was incarcerated during the last six months.

2. If not incarcerated. If I am employed, my employer's name and address are:

N/A

My gross pay or wages are: \$, and my take-home pay or wages are: \$ per (specify pay period) N/A

3. Other Income. In the past 12 months, I have received income from the following sources (check all that apply):

- (a) Business, profession, or other self-employment [X] Yes [] No
(b) Rent payments, interest, or dividends [] Yes [X] No
(c) Pension, annuity, or life insurance payments [X] Yes [] No
(d) Disability, or worker's compensation payments [] Yes [X] No
(e) Gifts, or inheritances [] Yes [X] No
(f) Any other sources [X] Yes [] No

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

RE: (a) In 2011, I worked, on a part-time basis, as a Ranger at a local golf course. My total income from that work was approximately \$500.00.

RE: (c) Once per year, I receive a distribution of \$2,888.44 from TIAA/CREF. This distribution will continue for eight more years.

RE: (f) I receive \$1,832/month in Social Security payments.

AO 240 (Rev. 07/10) Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form)

4. Amount of money that I have in cash or in a checking or savings account: \$ 200.00 .

5. Any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value that I own, including any item of value held in someone else's name (*describe the property and its approximate value*):

I have a watch that is worth approximately \$200.00.

6. Any housing, transportation, utilities, or loan payments, or other regular monthly expenses (*describe and provide the amount of the monthly expense*):

- Rent: \$900.00
- Utilities: \$250.00
- Phone: \$100.00
- Credit Cards: \$250.00
- Miscellaneous: \$300.00

7. Names (or, if under 18, initials only) of all persons who are dependent on me for support, my relationship with each person, and how much I contribute to their support:

N/A

8. Any debts or financial obligations (*describe the amounts owed and to whom they are payable*):

- Credit Cards: \$3,500

Declaration: I declare under penalty of perjury that the above information is true and understand that a false statement may result in a dismissal of my claims.

Date: 03/08/2012

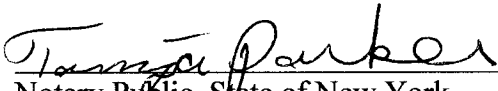

Applicant's signature

Joseph J. O'Hara
Printed name



JOSEPH J. O'HARA

Sworn to before me this
9 day of March 2012



Notary Public, State of New York

Tanya Parker
Notary Public, State of New York
Qualified in Rensselaer County
No. 01PA6201891
Commission Expires March 9, 2013