

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

RESIDENTIAL CAPITAL, LLC, et al.,
Post-Effective Date Debtors

Chapter 11

RESCAP BORROWER CLAIMS TRUST,
v.
TIADANIELLE SMITH,
Creditor-Beneficiary

Case No. 12-12020-mg

APPLICATION FOR WAIVER OF FEES AND COSTS FOR
ALTERNATIVE DISPUTE RESOLUTION
(CLAIM NOS. 3889, 4129, 4134 AND 4139)

NOW COMES TiaDanielle Smith, by her attorney, Wendy Alison Nora, and respectfully applies for the Order waiving prepayment of the costs and fees in the above-captioned proceeding and specifically requests waiver of fees and costs required for her participation in the Alternative Dispute Resolution (ADR) process, if any, which she has requested pursuant to this Court's Case Management Order dated October 19, 2015 (Doc. 9267).

Dated at Madison, Wisconsin this 17th day of November, 2015.

/s/ Wendy Alison Nora

Wendy Alison Nora
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Minneapolis, Minnesota 55415
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UNSWORN DECLARATION OF SERVICE

The above-captioned document filed by CM/ECF on November 17, 2015 and was thereby served on all parties and their counsel capable of service by CM/ECF in these proceedings.

/s/Wendy Alison Nora

Wendy Alison Nora

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re Residential Capital, LLC

(full name of the plaintiff or petitioner applying (each person
must submit a separate application))

-against-

12-12020

() ()

(Provide docket number, if available; if filing this with
your complaint, you will not yet have a docket number.)

(full name(s) of the defendant(s)/respondent(s))

APPLICATION TO PROCEED WITHOUT PREPAYING FEES OR COSTS

I am a plaintiff/petitioner in this case and declare that I am unable to pay the costs of these proceedings and I believe that I am entitled to the relief requested in this action. In support of this application to proceed *in forma pauperis* (IFP) (without prepaying fees or costs), I declare that the responses below are true:

1. Are you incarcerated? ☐ Yes ☒ No (If "No," go to Question 2.)

I am being held at: _____

Do you receive any payment from this institution? ☐ Yes ☐ No

Monthly amount: _____

If I am a prisoner, *see* 28 U.S.C. § 1915(h), I have attached to this document a "Prisoner Authorization" directing the facility where I am incarcerated to deduct the filing fee from my account in installments and to send to the Court certified copies of my account statements for the past six months. *See* 28 U.S.C. § 1915(a)(2), (b). I understand that this means that I will be required to pay the full filing fee.

2. Are you presently employed? ☐ Yes ☒ No

If "yes," my employer's name and address are: _____

Gross monthly pay or wages: _____

If "no," what was your last date of employment? _____

Gross monthly wages at the time: _____

3. In addition to your income stated above (which you should not repeat here), have you or anyone else living at the same residence as you received more than \$200 in the past 12 months from any of the following sources? Check all that apply.

(a) Business, profession, or other self-employment ☐ Yes ☒ No

(b) Rent payments, interest, or dividends ☐ Yes ☒ No

- | | | |
|---|---|--|
| (c) Pension, annuity, or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (d) Disability or worker's compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (e) Gifts or inheritances | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (f) Any other public benefits (unemployment, social security, food stamps, veteran's, etc.) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (g) Any other sources | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> 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.

Child support arrears for one child in the amount of \$200.00 per month.

If you answered "No" to all of the questions above, explain how you are paying your expenses:

Boarders pay utilities and maintain the home. They were paying rent until I lost the unlawful detainer action.

4. How much money do you have in cash or in a checking, savings, or inmate account?

\$35.00

5. Do you own any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value, including any item of value held in someone else's name? If so, describe the property and its approximate value:

My real estate title was unlawfully converted due to debtors' frauds and I own some costume jewelry.

6. Do you have any housing, transportation, utilities, or loan payments, or other regular monthly expenses? If so, describe and provide the amount of the monthly expense:

Life insurance premium payment of \$94.00 per month.

Loved ones bring me food.

7. List all people who are dependent on you for support, your relationship with each person, and how much you contribute to their support (only provide initials for minors under 18):

None

8. Do you have any debts or financial obligations not described above? If so, describe the amounts owed and to whom they are payable:

No

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

11-9-2015

Dated

Signature

SMITH, TIA D.

Name (Last, First, MI)

Prison Identification # (if incarcerated)

4011 HUBERT AVENUE LOS Angeles, CA 90008

Address

City

State

Zip Code

(323) 803-3027

Telephone Number

MyFATHERSDIAMOND@MSN.COM

E-mail Address (if available)

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ORDER GRANTING TIADANIELLE SMITH'S APPLICATION FOR
LEAVE TO PROCEED IN FORMA PAUPERIS

Upon the application of TiaDanielle Smith for leave to proceed in forma pauperis, this
Court is duly advised in these premises.

IT IS HEREBY ORDERED that TiaDanielle Smith shall not be required to pre-pay fees
and costs in these proceedings by reason of her demonstrated poverty.

IT IS FURTHER ORDERED that pre-payment of fees and costs for Alternative
Dispute Resolution shall not be required of TiaDanielle Smith.

Dated on _____, at New York, New York.

The Honorable Martin Glenn
UNITED STATES BANKRUPTCY JUDGE