

No.

In the Supreme Court of the United States

TERM, 2011

NICHOLAS E. PURPURA, and DONALD R. LASTER Jr.,
ET AL., PETITIONERS

V.

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES;
KATHLEEN SEBELIUS, in her official capacity individually & in their official capacity as the
Secretary of the United States, Department of Health and Human Services;
UNITED STATES DEPARTMENT OF THE TREASURY;
TIMOTHY F. GEITHNER, in his official capacity as the Secretary of the United States
Department of the Treasury;
UNITED STATES DEPARTMENT OF LABOR; and HILDA L. SOLIS, in her official capacity
as Secretary of the United States Department of Labor,

Petition for a Writ of Certiorari
to the United States Court of Appeals for the Third Circuit

IN FORMA PAUPERIS

AFFIDAVIT

NICHOLAS E. PURPURA
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Pro se[s] for the Petitioners

DANA KAERSVANG
ALISA B.KLEIN,
MARK B. STERN
TONY WEST
ETHAN P. DAVIS

Council for Appellee/Defendants

Sworn Affidavit in Support of the Motion

1. Petitioner swore an oath to protect the Constitution. The issue at bar, "*Patient Protection and Affordable Care Act*" "H.R.3590" shreds of our beloved Constitution. Many individuals and groups supported this endeavor and requested I speak for them by this Petition before you. By law, and as of right, Petitioner should not be forced to expend any funds to protect his or any citizens Constitutional rights. This Honorable Court rightfully belongs to "*We the People*" and it is our sacred right to Petition our government for grievances as set forth by Amendment 1. This Court exists at the pleasure of the "*We the People*" for the sole purpose to protect the Supreme law of the land, the Constitution.

2. This Honorable Court previously set forth precedent that has yet to be challenged that grants every citizens the unfretted right to come before this Court without cost to protect individual Constitutional rights. Petitioners have a lawful right to proceed without cost, based upon the following precedent: This U.S. Supreme Court has ruled that a natural man or woman is entitled to relief for free access to its judicial tribunals and public offices in every State in the Union (2 Black 620, see *Crandell v. Nevada*, 6 Wall 35). Plaintiff should not be charged fees, or costs for the lawful and constitutional right to petition this court in this matter in which he is entitled to relief, as it appears that the filing fee rule was originally implemented for fictions and subjects of the State and should not be applied to the Plaintiff who is a natural individual and entitled to relief; *Hale v. Henkel*(201 U.S. 43)

3. The District Court in this present action in its opinion and ruling ignored the fact that Petitioner was a spoke-person for over 600-individual and groups stating words to the effect that as far as the Court was concerned Petitioners were two individuals.

4. Therefore as an individual Petitioner will briefly set forth proof (even though it should be unnecessary) a financial statement demonstrating that the law allows Petitioners to proceed without costs.

5. Petitioner Nicholas Purpura's [REDACTED]

[REDACTED]

6. In the years 2009 and prior Petitioner has previously been allowed to proceed *IN FORMA PAUPERIS* in the State Courts and Court of Appeals for the Third Circuit see case No. 3:08-CV-2974. Petitioner is in further debt and for privacy reasons must respectfully decline to reveal his personal financial situation. That being said, Petitioner will reveal any facts and answer any questions related to finances *in camera* at this Honorable Courts request.

7. Throughout the institution of this Petition Petitioner did not have to come up with any personal funds to pay the fees in either the District Court or Circuit Court, all funds were derived from donations. Petitioner is of the belief that he should not have to pass the hat around to protect his or their Constitutional rights.

8. Under the penalty of perjury Petitioner, Nicholas E. Purpura requests that because the law allows and because of his financial situation we he allowed to proceed without fees and costs

9. No action before this Honorable Supreme Court in opposition to the "*Patient Protection and Affordable Care Act*" "H.R.3590" is more comprehensive, nor does any action; now being reviewed demonstrate with specificity and particularity 19- unconstitutional provisions in the "Act" to include violations of 4-legislative laws. This Petition is instituted pursuant to Amendment 1, no provision in the Amendment mandates costs to Petition our government.

WHEREFORE, we respectfully request this Honorable Court allow Petitioners to proceed without costs or fees.

Respectfully submitted,

Nicholas Purpura, *pro se*

Dated October 30, 2011

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