

“Equal Justice Under The Law”
“DoD’s Clearance System is Discriminatory and Must Be Fixed And
MDA’s Adverse Actions Against Me And Others Are Pretexts For Employer Discrimination”

23-6370 ORIGINAL

In The

SUPREME COURT OF THE UNITED STATES



Charles D. Adams, PETITIONER

v.

US Court of Appeals for the Federal Circuit (CAFC), RESPONDENT

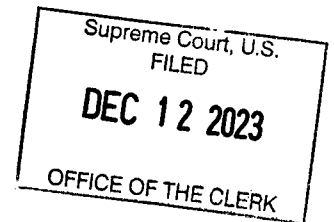


MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*



Charles D. Adams, CISSP
12994 Park Crescent Circle,
Herndon, VA 20171
703-708-9077
melindaEadams@verizon.net

Pro Se



“Equal Justice Under The Law”
“DoD’s Clearance System is Discriminatory and Must Be Fixed And
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**Motion for Leave to Proceed In Forma Pauperis
to the United States Supreme Court**

The petitioner asks leave to file the attached petition for a Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following courts:

United States Court of Appeals for the Fourth Circuit (CA4C) Attached

United States Court of Appeals for the Federal Circuit (CAFC) Attached

United States Tax Court Attached

United States Court of Appeals for the Federal Circuit (CAFC) Attached

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner’s affidavit or declaration in support of this motion is attached hereto.

Respectfully submitted,



Charles D. Adams
12994 Park Crescent Circle, Herndon, VA 20171
703-708-9077
melindaEadams@verizon.net
Pro Se Petitioner

“Equal Justice Under The Law”
“DoD’s Clearance System is Discriminatory and Must Be Fixed And
MDA’s Adverse Actions Against Me And Others Are Pretexts For Employer Discrimination”

FILED: December 8, 2017

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-2383
(1:16-cv-01468-AJT-TCB)

CHARLES DERECK ADAMS

Plaintiff - Appellant

v.

DEPARTMENT OF DEFENSE

Defendant - Appellee

O R D E R

The court grants leave to proceed in forma pauperis.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk

“Equal Justice Under The Law”
“DoD’s Clearance System is Discriminatory and Must Be Fixed And
MDA’s Adverse Actions Against Me And Others Are Pretexts For Employer Discrimination”

Case: 17-2485 Document: 13 Page: 1 Filed: 10/18/2017

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

CHARLES DERECK ADAMS,
Petitioner

v.

DEPARTMENT OF DEFENSE,
Respondent

2017-2485

Petition for review of the Merit Systems Protection
Board in No. DC-0752-17-0433-1-1.

ON MOTION

O R D E R

Charles Dereck Adams moves for leave to proceed *in forma pauperis*.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is granted.

“Equal Justice Under The Law”
“DoD’s Clearance System is Discriminatory and Must Be Fixed And
MDA’s Adverse Actions Against Me And Others Are Pretexts For Employer Discrimination”

Case: 17-2485 Document: 13 Page: 2 Filed: 10/18/2017

2

ADAMS v. DEFENSE

FOR THE COURT

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court

s31

"Equal Justice Under The Law"
"DoD's Clearance System is Discriminatory and Must Be Fixed And
MDA's Adverse Actions Against Me And Others Are Pretexts For Employer Discrimination"

FILED: January 20, 2016

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1043
(015556-13)

CHARLES DERECK ADAMS; MELINDA ELIZABETH ADAMS

Petitioners - Appellants

v.

COMMISSIONER OF INTERNAL REVENUE

Respondent - Appellee

O R D E R

The court grants leave to proceed in forma pauperis.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk

“Equal Justice Under The Law”
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Case: 16-1414 Document: 7 Page: 1 Filed: 01/12/2016

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

CHARLES DERECK ADAMS,
Petitioner

v.

DEPARTMENT OF DEFENSE,
Respondent

2016-1414

Petition for review of the Merit Systems Protection
Board in No. DC-3443-15-0768-I-1.

ON MOTION

ORDER

Upon consideration of Charles Dereck Adams’ motion
for leave to proceed *in forma pauperis*,

IT IS ORDERED THAT:

The motion is granted.

“Equal Justice Under The Law”
“DoD’s Clearance System is Discriminatory and Must Be Fixed And
MDA’s Adverse Actions Against Me And Others Are Pretexts For Employer Discrimination”

Case: 16-1414 Document: 7 Page: 2 Filed: 01/12/2016

2

ADAMS v. DEFENSE

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court

s24

“Equal Justice Under The Law”
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Indigency Declaration

**AFFIDAVIT OR DECLARATION OF INDIGENCY
 IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA*
*PAUPERIS***

We, Charles D. and Melinda E. Adams, are the Parents of Charles D. Adams II and the petitioners in the above-entitled case, in support of our motion to proceed *in forma pauperis*, we state that because of our poverty we are unable to pay the costs of this case or to file security therefore; and we believe we are entitled to redress. **Note that I have been discriminated against by my former employer, and lost my job because of it. On top of that I am experiencing severe financial hardship and can't make any payments to anyone at this time, because I have a negative monthly cash flow of -\$2095.58 and a negative net worth of -\$876,664.81. I am on the verge of bankruptcy and am in no position to pay on any of my non-food and non-shelter bills (see attached Financial Hardship documentation), including my US Supreme Court Filing Fees!**

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is amounts before any deductions for taxes or otherwise.

Income Source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	<u>\$366.66</u>	<u>\$2506.67</u>	<u>\$0.00</u>	<u>\$2506.67</u>
Self-employment	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Income from real property	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Interest and dividends	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Gifts	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Alimony	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Child Support	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Retirement	<u>\$3957.00</u>	<u>\$0.00</u>	<u>\$3957.00</u>	<u>\$0.00</u>

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Disability	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Unemployment payments	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Public-assistance	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Other (specify): _____	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
Total monthly income:	<u>\$4323.66</u>	<u>\$2506.67</u>	<u>\$4323.66</u>	<u>\$2506.67</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>FCPS</u>	<u>Fairfax County, VA</u>	<u>10/2015-Preent</u>	<u>\$366.66</u>
<u>No FT Job (PT Only)</u>	<u>Various</u>	<u>6/2010-10/2015</u>	<u>Varied (Minimum Wage to \$15.00/hr)</u>
<u>DoD MDA</u>	<u>7100 Defense Pentagon Washington, DC 20301</u>	<u>6/2009-6/2010</u>	<u>\$0.00</u>
<u>DoD MDA</u>	<u>7100 Defense Pentagon Washington, DC 20301</u>	<u>01/2004-6/2009</u>	<u>\$10,037.17</u>

3. List your spouse’s employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
<u>FCPS</u>	<u>Fairfax County, VA</u>	<u>10/2016-Present</u>	<u>2506.67</u>
<u>No FT Job (PT Only)</u>	<u>Various</u>	<u>6/2010-10/2016</u>	<u>Varied (Minimum Wage to \$15.00/hr)</u>
<u>Housewife (Autistic Son)</u>	<u>12994 Park Crescent Cr. Herndon, VA 20171</u>	<u>Until 6/2010</u>	<u>\$0.00</u>

4. How much cash do you and your spouse have? \$0.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

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Financial institution	Type of account	Amount you have	Amount your spouse has
<u>Senate Federal CU</u>	<u>Checking</u>	<u>\$3.47</u>	<u>n/a</u>
<u>Navy Federal CU</u>	<u>Checking</u>	<u>n/a</u>	<u>\$10.17</u>

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishing.

Home (Townhouse) Other real estate
 Value \$564,870.00 (\$252,002.82 mortgage) Value _____
No access to equity because of bad credit (506) and IRS lien

Motor Vehicle #1 Motor Vehicle #2
 Year, make, model _____ Year, make, model _____
 Value _____ Value _____
 Registration #: _____ Registration #: _____

Other assets None (lost all including car to employer discrimination)
 Description n/a
 Value \$0.00

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
None	\$0.00	\$0.00

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
None	n/a	n/a

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8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	<u>\$2584.77</u>	<u>Included</u>
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, Water, sewer, and telephone)	<u>\$1013.71</u>	<u>Included</u>
Home maintenance (repairs and upkeep)	<u>\$300.00</u>	<u>Included</u>
Food	<u>\$1253.92</u>	<u>Included</u>
Clothing	<u>\$0.00</u>	<u>Included</u>
Laundry and dry-cleaning	<u>\$0.00</u>	<u>Included</u>
Medical and dental expenses	<u>\$100.00</u>	<u>Included</u>
Transportation (not including motor vehicle payments)	<u>\$46.42</u>	<u>Included</u>
Recreation, entertainment, newspapers, magazines, etc.	<u>\$0.00</u>	<u>Included</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner’s or renter’s	<u>Included</u>	<u>Included</u>
Life	<u>\$209.71</u>	<u>Included</u>
Health and Dental	<u>\$443.51</u>	<u>Included</u>
Motor Vehicle (no car)	<u>\$0.00</u>	<u>\$0.00</u>
Other: _____	<u>\$0.00</u>	<u>\$0.00</u>

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Taxes (not deducted from wages or included in mortgage payments)

Specify: <u>Taxes, SS, Medicare, Retirement</u>	<u>\$658.34</u>	<u>Included</u>
Installment payments		
Motor Vehicle	<u>\$0.00</u>	<u>\$0.00</u>
Credit Cards (11 Visa/MC/Military Star)	<u>\$1218.00</u>	<u>Included</u>
Other: <u>Veterans Administration</u>	<u>\$25.00</u>	<u>Included</u>
Alimony, maintenance, and support paid to others	<u>\$0.00</u>	<u>\$0.00</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	<u>\$0.00</u>	<u>\$0.00</u>
Other (specify): <u>\$777,827.43 PLUS Loans (Deferred)</u>	<u>\$0.00</u>	<u>Included</u>
Total monthly expenses	<u>\$8925.91</u>	<u>Included</u>
<u>Negative Monthly Cash Flow</u>	<u>-\$2095.58</u>	

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form?

Yes No No money to pay them

If yes, how much? _____

If yes, state the attorney’s name, address, and telephone number.

11. Have you paid – or will you be paying – anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes No

If yes, how much?

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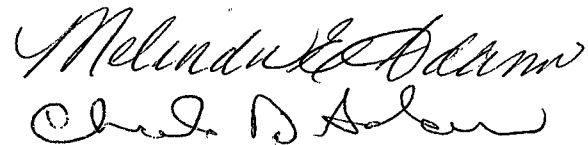
If yes, state the person, name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I have not had a full-time job since my employer’s discriminatory termination and have been using pawn shop loans and pay day loans and loans from relatives to feed my family and pay my bills. Also consider the fact that I have a negative -\$2,095.58 monthly cash flow and a negative -\$876,664.81 net worth, which makes it impossible for me to pay my non-food non-rent bills, or your fees (without my son’s help).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: Oct 5, 2023



(Signatures)

“Equal Justice Under The Law”
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Severe Financial Hardship Summary as of Oct 5, 2023

	Annual	Monthly	
Income			
Me - Retirement Annuity	\$47,484.00	\$3,957.00	
Me - PT On-Call FCPS Substitute Teacher	\$4,399.94	\$366.66	
Spouse -FT FCPS Instructional Assistant	\$30,080.00	\$2,506.67	
Total Income	\$81,963.94	\$6,830.33	
Monthly Expenses			
Taxes, SS, Medicare, Retirement, Life Ins	\$658.34		
Health & Dental Insurance	\$443.51	Housing	
Mortgage	\$2,168.68	\$2,196.68	
Umbrella Insurance (USAA)	\$11.50	\$28.54	
HOA Dues	\$178.00	\$155.00	
Home Maintenance	\$300.00	\$204.55	
No Vehicle Driver Insurance (USAA)	\$53.50	\$2,584.77	
Metro (no car - 1 trip per week)	\$46.42		
IRS \$67056.44 2010 tax assessment	\$525.60	Dec 1 Garnishment	
Veteran's Affairs	\$25.00		
Payday Loans	\$0.00		
Medical Bills	\$421.60		
Sons' Loans	\$0.00		
Credit Cards	\$1,218.00		
Student Loans	\$298.42		
Other Debts (\$1200 & \$1500 loans & Roof Loan)	\$0.00		
Food for Family of 5	\$1,253.92		
Medical & Dental Expenses (copayments)	\$100.00		
Utilities	\$1,013.71		
Term Life Insurance	\$209.71		
Total Monthly Expenses	\$8,925.91		
Negative Monthly Cash Flow	-\$2,095.58	sons help with food & utilities	
Assets			
Townhouse (2022 Fairfax County Tax Value)	\$564,870.00		
Total Assets	\$564,870.00		
Liabilities			
Government Debts	\$67,208.92		
Payday Loans	\$4,569.47		
Credit Card Debt	\$100,539.99		
Medical Bills	\$153,250.27		
Debt Owed Sons	\$80,251.28		
School PLUS Loans	\$777,827.43	Penn State & Embry-Riddle+Pilot	
Other Debts	\$5,884.63	out of state tuition	
Past Due Utilities	\$0.00		
Mortgage	\$252,002.82		
Total Debts	\$1,441,534.81		
Negative Net Worth	-\$876,664.81		

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Severe Financial Hardship Summary as of Oct 5, 2023

Change in My Net Worth Says It All!				
7/4/05 Net Worth	\$636,232.88			
11/18/17 Net Worth	-\$876,664.81			
Difference Due To Employer Discrimination	-\$1,512,897.69			

“Equal Justice Under The Law”
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COMMONWEALTH of VIRGINIA
Virginia Employment Commission

00041699036010689132

CHARLES D ADAMS
 12994 PARK CRESCENT CIR
 HERNDON, VA 20171-2818

B-MON-001

Claimant Information

Mail Date: 08/14/2023
 ID: 50757219
 First Name: CHARLES
 Last Name: ADAMS
 Payment Method: Direct Deposit
 Benefit Effective Date: 08/06/2023
 Weekly Benefit Amount: 151.00
 Number of Weeks: 16
 Maximum Benefit Amount: 2,416.00
 Benefit Year Ending Date: 08/03/2024

Did you know... you can retrieve this and other documents by going online at <https://uldirect.vec.virginia.gov/CSS> and logging into your account? Creating an online account is simple, secure, and easy.

**Statement of Wages and Potential Benefit Entitlement
 Unemployment Insurance**

The Virginia Employment Commission (VEC) has calculated the weekly benefit amount (WBA) and maximum benefit amount (MBA) of the claim for unemployment benefits that you filed based on the base period wages and employer(s) in our records. The amounts listed below are the base period wages on file with the VEC that were used in calculation of your potential benefit:

REGULAR BASE PERIOD WAGES						
Employer Name	Employer Account	April 1, 2022 - June 30, 2022	July 1, 2022 - September 30, 2022	October 1, 2022 - December 31, 2022	January 1, 2023 - March 31, 2023	Totals for Base Period April 1, 2022 - March 31, 2023
FAIRFAX COUNTY PUBLIC SCHOOLS	1890123	\$3,857.92	\$703.36	\$3,709.87	\$1,558.76	\$9,829.91
Total Wages		\$3,857.92	\$703.36	\$3,709.87	\$1,558.76	\$9,829.91

Decision by Deputy: VEC673

Call the VEC at 1-866-832-2363 to request a redetermination if this is your first mailing of this decision AND the below criteria applies.

- If there are employers listed above for whom you did not work or for whom the wages are misreported. Failure to report an error in this information may result in an overpayment that you will be required to repay.
- If there are employers not listed above for whom you did work during the base period or if wages are missing for an employer listed above. Be prepared to submit proof of the wages that are missing from this statement such as pay stubs or a W-2 tax form so that the VEC can re-evaluate your potential benefit entitlement. NOTE: Some earnings, by law, are not reportable to the VEC and cannot be used in the calculation of your potential benefit entitlement.
- The request for redetermination must be made within one year of the mail date above.

APPEAL RIGHTS

The following appeal rights apply only to challenge the effective date or if this is your redetermination of an earlier decision. This decision becomes final unless a notice of appeal is filed by **09/13/2023**. The appeal must be in writing and should set forth the grounds upon which the appeal is sought. If an appeal is filed, you should continue to file your weekly claim each week.

Appeals should be filed through one of the following methods:

Internet	Fax	Mail	In-Person
www.vec.virginia.gov	(804) 786-8492	Virginia Employment Commission Attention: First Level Appeals P.O. Box 26441 Richmond, VA 23261-6441	At Any VEC Service Location



Equal Opportunity Employer/Program Auxiliary Aids and Services Are Available Upon Request to Individuals with Disabilities
 Language Interpretation and translation services are available upon request.
 VUIS-08-19-2022 Most services available at www.vec.virginia.gov 1-866-832-2363 or Virginia Relay 711 B-MON-001

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CERTIFICATE OF SERVICE

I CERTIFY THAT I SERVED A TRUE AND CORRECT COPY OF THE ATTACHED
LETTER TO THE PARTIES IDENTIFIED BELOW BY US MAIL.



Charles D. Adams
12994 Park Crescent Circle, Herndon, VA 20171
703-708-9077
melindaEadams@verizon.net
Date: 12/10/23

OPPOSING COUNSEL

Paul Y. Kim
Missile Defense Agency (MDA) MDA/GCG
Building 5222 Martin Road
Redstone Arsenal, AL 35898