
Appellant
BERNARD TOCHOLKE
FEES/COSTS

PETITION FOR WAIVER OF
AFFID

AVIT OF INDIGENCY
VS.

Respondent
02FA365
SHEREEN TOCHOLKE
12AP191

Circuit Court Case #

Court of Appeals #

Under oath I state that because of poverty, I am unable to pay the costs of this action, proceeding, or appeal, or to give security for these costs, and request waiver of those costs. I am attaching and incorporating into this affidavit a brief statement of the nature of the appeal or petition and the relief requested.

Section 1.

- ✓ I currently receive NO supplemental income of ANY sort;
 - ✓ I receive NO security income, food stamps, benefit for veterans, legal representation, relief funded under Wis. Stats. § 59.53(21), Medical assistance, or any other relief funded public assistance.
 - ✓ In short, I am left out in the “cold” to fend for myself, “to do - or die” .
-

Section 2.

- 1) I am **NOT** married.
- 2) Employment: IF I get employment through an employer, the State will not only withhold the normal State & Federal taxes, but also another 60% in child support withholding. When that happens, there is approximately \$20 left over, which is NOT enough to even pay for the gas in a vehicle to go back to work the following week. **THEREFORE**, I am hindered from applying at any “authentic” job, since I am too broke to afford working for nothing, ... or actually paying to go to work!
Because of that situation, I MUST struggle to seek my own employment, through private individuals, to secure any kind of work that I am capable of doing, so that I can keep enough money to pay for the expenses of just living.
- 3) I earn a **SEASONAL** type of income, which increases in the summer, but drastically declines in the winter. I earn yearly between \$15,000 - \$20,000 AGI.
NOTE: I want to notify this court about a situation which on the surface might seem contradictory to the “primary/top” income. Often I must rent equipment to do a job. Suppose, I bid a job at \$300, but I need to rent a lift trailer which cost \$150. The problem is that the customer will pay me a check for \$450. On the “basic/surface” it will appear that I made \$450, however, that is my Gross Receipt. Neither the banks, nor the IRS use that number. My Adjusted Gross Income (AGI) is only the \$300. I have no problem of providing all my bank statements if the person that looks at them will understand that law or concept of this last paragraph.

- 4) I receive ZERO income from any pension, disability, social security, student loans/grants, unemployment compensation, or any other source.
- 5) I have the following cash assets:
- I have to have a savings account to have a checking account at a credit union. The balance is usually about \$15 - \$20 at any given time.
 - I have a checking account which balance is normally insufficient for the bills that are coming in. Sometimes it may appear that I have a few hundred dollars in the account, but that is misleading because the checks written have not cleared yet. The problem is to figure out how to pay ten dollars of debt with a five dollar account.
- 6) I have the following other assets:
- I own a 1997 Ford cargo van that is starting to fall apart. Many things like the heater and radio do not work anymore. It is starting to rust out, and might be worth about, \$1,000. It is my greatest possession. Fifteen years old!!
 - I do not own any real estate, - any property or buildings.
 - The few furniture items I own are throw away quality which were given to me.
- 7) My household consists of myself. I rent a portion of a trailer house which is not much. However, living with the fear of always, and at any time, going back to jail, I cannot afford to sign a lease at an apartment complex. Besides, a 1 bedroom apartment rents for more than the \$450 that I am paying per month now.
- 8) Does N/A (other members)
- 9) I do not receive income from any other source because I already explained the situation in number 2. If I work for any "official" job where there is a time clock, and taxes or child support deducted, they basically take the entire check without leaving me enough to buy gas to go to work. What about the other expenses like food or shelter?
- 10) I have the following expenses:
- | | |
|--|----------------------------|
| a) Child support has been changed (lowered) to | <u>\$84.00 per week</u> |
| b) Child support arrearages (which is in dispute) is over | <u>\$107,000 !</u> |
| c) I have college loans that are somewhere around | <u>\$15,000 - \$20,000</u> |
| d) I lost track of how much I owe in medical bills. ??
know | <u>\$10,000</u> I do not |
| e) I owe numerous companies or individuals | |
| f) I owe friends and family members, because I was "wrongfully arrested" | |
- Monthly bills include
- Electric, heating, insurance, food, clothing. Etc. (THERE IS NOT MUCH LEFT OVER)
 - In conclusion, (since the child support was just established with a recalculation), paying the new child support order and then try to pay the regular bills, THERE IS NOT ENOUGH MONEY to pay for it all. I need to increase my income somehow in order to survive. I cannot cut my expenses much further unless I lived in the vehicle. Friends and family will only borrow me more money if it goes toward a solution to the problem. Right now they are skeptical that this court will not correct the mistakes or give me a fair hearing. I wish you can prove them wrong.

11) I already paid for the transcripts, which was -
I am waiting almost a month already to receive them.

\$215.

I, BERNARD TOCHOLKE, declare that the above information is true to the best of my knowledge,
and sign this document today, on the 21st day of February , 2012.

Signed _____

Hinckley, MN 55037
Copies sent to:
Wisconsin Court of Appeals
Kenosha County Courthouse
Attorney Tommy Anderson, Jr.

Bernie Tocholke, 41391 Little Sand Rd.,