No. 17-1606

IN THE SUPREME COURT OF THE UNITED STATES

RICKY LEE SMITH, PETITIONER

v.

NANCY A. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY

CERTIFICATE OF SERVICE

It is hereby certified that all parties required to be served have been served with copies of the **BRIEF FOR THE RESPONDENT SUPPORTING REVERSAL AND REMAND**, via email and first-class mail, postage prepaid, this 19th day of December 2018.

[See Attached Service List]

As required by Supreme Court Rule 33.1(h), I certify that the document contains <u>12,581</u> words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d). I declare under penalty of perjury that the foregoing is true and correct. Executed on <u>December 19, 2018</u>.

Noel J. Francisco
Solicitor General
Counsel of Record
Department of Justice
Washington, D.C. 20530-0001
(202) 514-2217

December 19, 2018

Due to the continuing delay in receiving incoming mail at the Department of Justice, in addition to mailing your brief via first-class mail, we would appreciate a fax or email copy of your brief. If that is acceptable to you, please fax your brief to Charlene Goodwin, Case Management Supervisor, Office of the Solicitor General, at (202) 514-8844, or email at SupremeCtBriefs@USDOJ.gov. Ms. Goodwin's phone number is (202) 514-2217 or 2218. Thank you for your consideration of this request.

17-1606 SMITH, RICKY LEE NANCY A. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY

> WOLODYMYR CYBRIWSKY WOLODYMYR CYBRIWSKI LAW OFFICE 214 SOUTH CENTRAL AVENUE PRESTONSBURG, KY 41653 606-866-8389

EUGENE R. FIDELL YALE LAW SCHOOL SUPREME COURT CLINIC 127 WALL STREET NEW HAVEN, CT 06511 203-432-4992

DEEPAK GUPTA
GUPTA WESSLER PLLC
1900 L STREET, NW
SUITE 312
WASHINGTON, DC 20036
202-888-1741
DEEPAK@GUPTAWESSIER.COM

CODY MARVIN
THE LAW OFFICES OF BARRY A. SCHULTZ,
P.C.
1601 SHERMAN AVENUE
SUITE 500
EVANSTON, IL 60201
847-864-0224
CODY@BARRYSCHULTZ.COM

ANDREW J. PINCUS MAYER BROWN LLP 1999 K STREET, NW WASHINGTON, DC 20006 202-263-3220 APINCUS@MAYERBROWN.COM