

# WAIVER

## SUPREME COURT OF THE UNITED STATES

Supreme Court Case No. 18-312

Lieutenant-Colonel David R. Smith v. The Tennessee National Guard  
(Petitioner) (Respondent)

**I DO NOT INTEND TO FILE A RESPONSE** to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate boxes:

- ☒ Please enter my appearance as Counsel of Record for all respondents.
- ☐ There are multiple respondents, and I do not represent all respondents. Please enter my appearance as Counsel of Record for the following respondent(s):

☒ I am a member of the Bar of the Supreme Court of the United States.

☐ I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member.

Signature 

Date: September 12, 2018

(Type or print) Name Joseph F. Whalen

☒ Mr. ☐ Ms. ☐ Mrs. ☐ Miss

Firm Office of the Tennessee Attorney General

Address P.O. Box 20207

City & State Nashville, Tennessee Zip 37202

Phone 615-741-3499 Email Joe.Whalen@ag.tn.gov

A COPY OF THIS FORM MUST BE SENT TO PETITIONER'S COUNSEL OR TO PETITIONER IF *PRO SE*. PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE IS REQUIRED.

CC: Phillip L. Davidson