

# WAIVER

## SUPREME COURT OF THE UNITED STATES

18-312

Supreme Court Case No. \_\_\_\_\_

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.

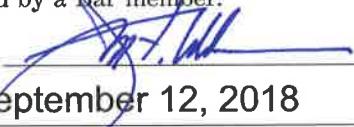
Please check the appropriate boxes:

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

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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