

I. CERTIFICATE OF COMPLIANCE

I, Randle Smolarz, certify that, pursuant to Rule 9 of the Texas Rules of Appellate Procedure, Appellee's Brief less than 9,000 words, exclusive of the caption, identity of parties and counsel, statement regarding oral argument, table of contents, index of authorities, statement of the case, statement of issues presented, statement of jurisdiction, statement of procedural history, signature, proof of service, certification, certificate of compliance, and appendix.

/s/ Randle Smolarz
Randle Smolarz