

DERRAN SMILEY

(your name)

F28162 D-141

(CDCR#, housing)

23500 Kasson Road  
Tracy, CA 95304  
In Pro per

) CASE NO. \_\_\_\_\_  
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) PROOF OF SERVICE BY MAIL

I am a citizen of the United States and a resident of the state of California. I am incarcerated in a California prison: Deuel Vocational Institution (DVI). I am over the age of 18 years, and a party to the within action.

I made timely filing under the "mailbox rule" by making timely use of the prison's internal mailing system. Cal. Court Rule 8.25(b)(5). In re Jordan (1992) 4 Cal.4th 116, 128-130, 13 Cal.Rptr.2d 678, 840 P.2d 878; Silverbrand v. County of Los Angeles (2009) 46 Cal.4th 106, 92 Cal.Rptr.3d 595, 201 P.3d 1047; Fed. Rules App. Proc., rule 4(c)(1), (2), (3), rule 25(a)(2)(C); 28 U.S.C. 1746; Houston v. Lack (1988) 487 U.S. 266, 108 S.Ct. 2370, 101 L.Ed. 245 (prisoner's notice deemed filed upon delivery to prison officials because of peculiar obstacles of *pro se* defendants). On 4-4 2019, I gave the document and envelope with pre-paid first-class postage attached, or with a completed CDCR Form 193 Trust Withdrawal attached to the outside of the envelope, and with the word "Confidential" appearing on the face of the envelope, to a custody staff member. The envelope was inspected by a custody staff member for contraband. I sealed the envelope in the presence of the inspecting staff member. The inspecting staff member printed his name, title, date, and signed the outside of the envelope. The prison authority deposited the envelope in the prison internal mailing system mailbox/mailbag.

See Title 15, California Code of Regs. § 3142; CDCR Operations Manual § 54010.20.2; DVI Operational Procedure No. 9 VI K.

I served the following document to each of the persons named below at the address shown:

DOCUMENT: PETITION FOR WRIT OF CERTIORARI

PARTIES SERVED: OFFICE OF THE ATTORNEY GENERAL  
455 GOLDEN GATE AVENUE, SUITE 11000,  
SAN FRANCISCO, CA 94102-7004

I declare under penalty of perjury the above statements are true and correct.

Executed on 4-4 2019,

in the city of Tracy, San Joaquin County, California. By: DERRAN SMILEY  
(print name)

SIGNED: Derran Smiley

DS

RESENT 4-4-19

CORRECTION

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

DERRAN SMILEY — PETITIONER  
(Your Name)

VS.

WILLIAM MUNIZ, WARDEN — RESPONDENT(S)

**PROOF OF SERVICE**

I, DERRAN SMILEY, do swear or declare that on this date,  
2-14, 2019, as required by Supreme Court Rule 29 I have  
served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*  
and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding  
or that party's counsel, and on every other person required to be served, by depositing  
an envelope containing the above documents in the United States mail properly addressed  
to each of them and with first-class postage prepaid, or by delivery to a third-party  
commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

ATTORNEY GENERAL OF THE STATE OF CALIFORNIA  
455 GOLDEN GATE AVENUE, SUITE 11000  
SAN FRANCISCO, CA 94102-7004

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 2-14, 2019

Derran Smiley  
(Signature)

**Additional material  
from this filing is  
available in the  
Clerk's Office.**