

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 1st day of October, two thousand and nineteen,

Present:

Robert A. Katzmann,
Chief Judge,
Rosemary S. Pooler,
Peter W. Hall,
Circuit Judges.

Patrick R. Smith,

Petitioner - Appellant,

v.

Barbara D. Underwood, Attorney General of the State of
New York, Timothy McKoy, Administrator of Franklin
Correctional Center,

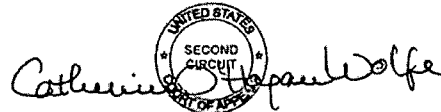
Respondents - Appellees.

Appellant filed a motion for reconsideration and the panel that determined the motion has considered the request.

IT IS HEREBY ORDERED, that the motion is denied.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court

The image shows a handwritten signature of Catherine O'Hagan Wolfe in cursive. The signature is written over a circular official seal of the United States Court of Appeals for the Second Circuit. The seal contains the text "UNITED STATES", "SECOND CIRCUIT", and "CITY OF NEW YORK".

Appendix F

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Patrick Ricardo Smith PETITIONER *pro se*
(Your Name)

VS.

BARBARA UNDERWOOD — RESPONDENT(S)
ET AL

PROOF OF SERVICE

I, Patrick Smith, do swear or declare that on this date, Thur. October 24, 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:

SUPREME COURT OF THE UNITED STATES 1 FIRST ST. N.E
WASHINGTON, DC. 20543

SOLICITOR GENERAL OF THE UNITED STATES DOJ 950 PENNSYLVANIA AVE
WASHINGTON D.C. 20530-0001 ROOM 5616
BARBARA UNDERWOOD ATTORNEY GENERAL STATE OF NEW YORK 28 LIBERTY ST
NEW YORK, N.Y. 10005 ADA JOHN CARMOODY III DR. MARTIN LUTHER KING Blvd
WHITE PLAINS NEW YORK 10601 ATTORNEY FOR RESPONDENTS.

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

Executed on Thur. October 24, 2019

Patrick Smith
(Signature)

IN THE

Supreme Court of the United States

Patrick Ricardo Smith, pro se
PETITIONER

v.

Barbara Underwood et al.
RESPONDENTS

DECLARATION OF SERVICE

I, Patrick Smith declare under the
penalty of perjury that I served a
copy of petition for writ of CERTIORARI
and application to proceed in forma

pauperis to the United States Supreme
Court Clerk's Office 1 First St. N.E. Wash.

D.C. 20543, the United States
Solicitor General Room 5416 950 Penn.

Sylvania Ave. N.W. Washington, D.C. 20530
and attorney for respondents John Carr
moddy 111 Dr. Martin Luther King Jr. Blvd
White Plains, N.Y. 10601 by certified U.S.

mail return receipt requested.

DECLARED on this 24th day of October 2019

Patrick Smith

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