IN THE

Supreme Court of the United States

DARRELL HEMPHILL.

Petitioner,

v.

STATE OF NEW YORK,

Respondent.

On Writ of Certiorari to the Court of Appeals of New York

MOTION FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE AND AMICUS BRIEF OF ADAM OUSTATCHER IN SUPPORT OF RESPONDENT

CERTIFICATE OF COMPLIANCE

Pursuant to Supreme Court Rule 33.1(h), I certify that the accompanying Motion for Leave to File Brief as Amicus Curiae contains 394 words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d), and the Brief of Adam Oustatcher as Amicus Curiae in Support of Respondent contains 7,985 words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d). This Certificate of Compliance was prepared in reliance on the Microsoft Word word-count function used to prepare this document.

I declare that the above is true and correct under penalty of perjury. DATED this 16th day of August 2021

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