

## VERIFICATION / DECLARATION UNDER PENALTY OF PERJURY

Pursuant to 28 U.S.C. § 1746 the Respondent states under penalty of perjury and under the laws of the United States that the foregoing is true and correct; that Respondent has read the foregoing and affixed his signature hereto at North Fork Correctional Center on this 15<sup>th</sup> day of Feb-2021 18 U.S.C. § 1621.

### CERTIFICATE OF SERVICE & MAIL BOX RULE

I, Wayne Duke Kalbaugh, the Respondent a prisoner in the Oklahoma Department of Corrections, hereby invokes the authority of **Houston VS. Lack, 487 U.S. 266, 267, 108 S.Ct. 2379 (1988)**, that states a prisoner in State custody filing any Federal documents or pleadings has filed "at the moment of delivery to prison authority for forwarding to the Court." Fed. R. App. P. 4(c) (1). In invoking the above, and in accordance with **Price VS. Philpot, 420 F.3d 1158, 1166 (10<sup>th</sup> Cir. 2005)**, I Wayne Duke Kalbaugh, on my oath, state I have used the prison legal mail system and made delivery to prison authority on this 15<sup>th</sup> day of Feb-2021. I mailed a true and correct copy of the foregoing pursuant to Rule 29.2, U.S.C. § 1746 by placing same into the institutional legal mailing system at the North Fork Correctional Center with postage pre-paid thereon to:

Supreme Court of the United States 1 First Street, N.E. Washington, DC 20543 (202)479-3034	Mrs. Ambre Camille Gooch Collins, Zorn & Wagner, P.C. 429 N.E. 50 <sup>th</sup> Street, 2 <sup>nd</sup> Floor Oklahoma City, OK 73105 (405)524-2070
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Respectfully Submitted this: 2-15-2021

/s/ Wayne D. Kalbaugh

Wayne Duke Kalbaugh Doc# 450429

N.F.C.C. / C-N-229

1605 EAST MAIN STREET

SAYRE, OKLAHOMA 73662

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