

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 2022

UNITED STATES OF AMERICA,
Respondent.
vs.
MARQUIS D. BROWN,
Petitioner.

PROOF OF SERVICE AND DECLARATION OF COUNSEL

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

ROBERT L. SWAIN, being first duly sworn, deposes and says:

Counsel is a member in good standing of the Supreme Court Bar and was court appointed pursuant to Title 18, United States Code Section 3006A on appeal to the Ninth Circuit Court of Appeals;

That on October 27, 2022, the petition for writ of certiorari and motion plus 10 copies in the above-entitled case were deposited in a United States Post Office mailbox located in San Diego, California, with first class postage prepaid, properly addressed to the Honorable Scott S. Harris, Clerk of the Supreme Court of the United States, One First Street, NE, Washington, D.C. 20543, and within the time allowed for filing said petition;

That an additional copy of the petition, motion and the affidavit of proof of mailing of the petition and motion was served on counsel for respondent: The Honorable Elizabeth B. Prelogar, Solicitor General of the United States Department of Justice Washington, D.C. 20530.

Dated at San Diego, California, this 27th, day of October, 2022.

/s/ Robert L. Swain

Robert L. Swain

Attorney for Petitioner Brown