

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

IN THE SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM 2022

DAVID E. MERRY, PETITIONER

v.

UNITED STATES OF AMERICA

**PROOF OF SERVICE**

I CERTIFY that on February 12, 2023, the following documents were served on all parties required to be served by sending them via Email to the Solicitor General of the United States at the Email Address: SupremeCtBriefs@USDOJ.gov:

- (1) Petition for Writ of Certiorari
- (2) Appendix to the Petition
- (3) Certificate of Word Count
- (4) Motion to Proceed *In Forma Pauperis*  
With Order of CJA Appointment Attached
- (5) Transmittal Letter to the Clerk
- (6) This Proof of Service Document

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

Executed on February 12, 2023

*/s/ Sheryl J. Lowenthal*  
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U.S. Court of Appeals, Eleventh Circuit No. 21-12926-E

U.S. District Court, Northern District of Florida No. 3:19-cr-157-MCR-1

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