NO.: 22-7421

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2023

UNITED STATES OF AMERICA,
Respondent,

v.

MICHAEL ANTHONY MCDOWELL,
Petitioner.

On Petition for Writ of Certiorari
To the Court of Appeals
For the Fourth Circuit

PETITION FOR A WRIT OF CERTIORARI

Michael Anthony McDowell # 22779-171
FCI Bennettsville/POB 52020
Bennettsville, SC 29512-0000

Pro se

QUESTIONS PRESENTED

Whether the due process rights of Petitioner violated by the Government's refusal to file a Rule 35 motion, and the district court's refusal to compel?

LIST OF PARTIES

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IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[X] For cases from **federal courts**:

The opinion of the United States Court of Appeals for the Fourth Circuit appears at Appendix A to the petition and is

[X] is unpublished; or

The opinion of the United States district court appears at Appendix B to the petition and is

[X] is unpublished.

JURISDICTION

The date on which the United States Court of Appeals decided the case was on February 24, 2023. **See Appendix A.**

The jurisdiction of this Court is invoked under 28 U.S.C. Section 1254 (1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Constitutional Amendment V – No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the

same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, *nor be deprived of life, liberty, or property, without due process of law*; nor shall private property be taken for public use, without just compensation.

STATUTORY PROVISION INVOLVED

Rule 35 (b) REDUCING A SENTENCE FOR SUBSTANTIAL ASSISTANCE.

(1) In General. Upon the government's motion made within one year of sentencing, the court may reduce a sentence if the defendant, after sentencing, provided substantial assistance in investigating or prosecuting another person.

(2) Later Motion. Upon the government's motion made more than one year after sentencing, the court may reduce a sentence if the defendant's substantial assistance involved:

(A) information not known to the defendant until one year or more after sentencing;

(B) information provided by the defendant to the government within one year of sentencing, but which did not become useful to the government until more than one year after sentencing; or

(C) information the usefulness of which could not reasonably have been anticipated by the defendant until more than one year after sentencing and which was promptly provided to the government after its usefulness was reasonably apparent to the defendant.

(3) Evaluating Substantial Assistance. In evaluating whether the defendant has provided substantial assistance, the court may consider the defendant's presentence assistance.

(4) Below Statutory Minimum. When acting under Rule 35(b), the court may reduce the sentence to a level below the minimum sentence established by statute.

Federal Rules of Criminal Procedures Rule 35 (b).

STATEMENT OF THE CASE

Petitioner was charged in four counts of an eleven-count Indictment that was filed on May 10, 2011. **ECF # 3**. Count One charged conspiracy to possess with intent to distribute 5 kilograms or more of cocaine, in violation of 21 U.S.C. Sections 846, 841 (a) (1), and (b) (1) (A). Count Three charged distribution of a quantity of cocaine, in violation of 21 U.S.C. Section 841 (a) (1) and (b) (1) (C). And, Counts Four and Six charged use of a communication facility to distribute cocaine, in violation of 21 U.S.C. Section 843 (a) (1) and 18 U.S.C. Section 2. **Id**. Petitioner began to cooperate shortly after he was arrested on May 11, 2011, and, he continued to cooperate up until he was sentenced, and then, after sentencing, he continued to cooperate.

The Government filed an Information pursuant to 21 U.S.C. Section 851 (a) (1) on July 13, 2011 which notified Petitioner that he faced a term of imprisonment of mandatory minimum of life imprisonment; since, he had two prior qualifying drug convictions. **ECF # 130**. Petitioner pled guilty on August 30, 2011 to Count One with a plea agreement (**ECF # 166**) and an understanding that counts 3, 4, and 6 would be dismissed at sentencing. **ECF # 172**.

Before Petitioner was to be sentenced and on January 11, 2012, the Government filed a motion for a downward departure pursuant to USSG Section 5K1.1 due to Petitioner's substantial assistance in the prosecution of his co-defendants. **ECF # 229**. At sentencing on January 12, 2012, the Court granted the Government's motion for a downward departure and reduced Petitioner's mandatory minimum life sentence on Count One to a mandatory minimum of 240-month and 10-year of supervised release. **ECF # 230**. The Judgment was filed on January 20, 2012. **ECF # 236**.

Petitioner did not file a direct appeal, and the first post-conviction motion that he filed was labeled as "motion to preserve an issue in light of Johnson v United States, 135 S.Ct. 2551 (2015)". **ECF # 276**. After the government responded to the motion to preserve an issue..., and before the district court could issue an opinion, Petitioner, on May 15, 2017, filed a motion to compel the government to file a Rule 35 motion due to substantial assistance he provided after he was sentenced and received a downward departure. **ECF # 290**. The Government responded to the motion to compel on May 30, 2017 without being instructed to file a response. **ECF # 292**.

The District Court denied the motion to preserve an issue... on June 29, 2017. **ECF # 300**. The District Court denied the motion to compel on July 12, 2017. **ECF # 310**. Petitioner's motion for reduction of sentence/compassionate release was denied on December 18, 2020. **ECF # 385**.

On March 3, 2021, Petitioner filed a second motion to compel the Government to file a Rule 35 (b) motion on his behalf. **ECF # 386**. On July 20, 2022, the District Court denied without prejudice the motion to compel by finding that section 5K1.1 motion was all that was required of the Government; even though, the Government had informed the

Court that Petitioner was continuing to cooperate. **Appendix B.** The Fourth Circuit affirmed the district court's decision on February 24, 2023 without the responding to the violation of Petitioner's due process right by refusing to correct a fundamental injustice. **Appendix A.**

REASONS FOR GRANTING THE WRIT

To determine whether promises made by the Government in the plea agreement, and verified at sentencing, should be enforced against the Government, if a defendant fulfills his end of the bargain after sentencing. The Government fulfilled its promise to file a motion pursuant to USSG section 5K1.1 for a reduction in sentence due to the cooperation of Petitioner against his co-defendants before his initial sentencing. Then, at sentencing while the district court was considering whether to grant the section 5K1.1 reduction motion, the Government told the court that Petitioner was continuing to cooperate and would likely be brought back for another reduction.

But, after encouraging Petitioner to continue to cooperate and after providing a means for him to do so by third-party assistance, the Government refused to file a motion pursuant to Rule 35 (b) for the assistance Petitioner provided after sentencing, and the district court refused to compel the government to comply or to hold an evidentiary hearing to resolve the conflict.

In the instant matter, the decisions of the district court and the Fourth Circuit conflict with this Court's decision in Santobello v New York, 404 U.S. 257 (1971), Brady v United States, 397 U.S. 742 (1970), the Fourth Circuit's decision in United States v Harvey, 791 F.2d 294 (4th Cir. 1986), and other circuits' decisions. See e.g., Carnine v United States, 974 F.2d 924, 928 (7th Cir. 1992); Buckley v C.A. Terhune, 441 F.3d 688,

694 (9th Cir. 2005); and United States v Kurkculer, 918 F.2d 295 (1st Cir. 1990) (discussing remedies for government breach).

SUMMARY OF ARGUMENT

At sentencing in the instant matter where a Guidelines' section 5K1.1 reduction was granted by the district court; the Government informed the court that Petitioner was continuing to cooperate and would most likely be brought back for another reduction. Petitioner continued to cooperate and his cooperation led to several individuals being arrested, convicted, and sentenced, but his cooperation was not rewarded in violation of his plea agreement, the promises made at and after sentencing and his understanding of what was expecting of him and what he would receive.

After getting the information from Petitioner and the third-party that assisted him by making controlled buys of drugs from targets, the Government refused to file a motion pursuant to Rule 35 (b) of the Federal Rules of Criminal Procedure.

ARGUMENTS

Issue One: *Whether the due process rights of Petitioner violated by the Government's refusal to file a Rule 35 motion, and the district court's refusal to compel?*

Supporting Facts and Argument: After sentencing, Petitioner sought to have a motion for reduction of his sentence filed by the Government due to the substantial assistance he provided in the investigation and prosecution of other individuals that did not involve the assistance he rendered before sentencing. Petitioner had received a reduction in his mandatory minimum life sentence pursuant to USSG Section 5K1.1 to a sentence of 240-month on Count One at his federal sentencing on January 12, 2012. The Honorable G. Ross Anderson, Jr. granted the Government's motion pursuant to section

5K1.1 based on the assistance Petitioner rendered against his co-defendants in the instant matter. **See Exhibit C at 6 of 9.**

The Government informed the Court at sentencing that Appellant was continuing to cooperate in an ongoing investigation and would likely be bought back for another reduction. **Id at 3 of 9.** After sentencing, Petitioner continued to provide information against others and, he, after being advised about third-party assistance[1], provided his then girlfriend, Danita Alexandra, to make controlled purchases of drugs from targets of the investigation. Petitioner sought a reduction in his reduced 240-month sentence for the assistance he provided after he was sentenced. **ECF # 386.**

In denying without prejudice the motion to compel, the District Court found that:

> "Upon its review, the court observes that it previously considered a Rule 35 (b) Motion filed by McDowell and denied the Motion on the basis that "[b]ecause the [Government's] downward departure [motion] was granted, there was no basis for the Government to file a sentence reduction motion under Rule 35 (b)." (ECF No. 310.) After reviewing the instant Motion, the court does not discern information that demonstrates McDowell has provided additional, unrewarded substantial assistance to the Government. Therefore, the court is not persuaded that McDowell's arguments support a finding that the Government should be required to file a Rule 35 (b) motion on his behalf. E.g., United States v. Belle, CR No.: 3:06-748-JFA, 2021 WL 4820665, at *2 (D.S.C. Oct. 15, 2021) ("[D]efendant has already received a 76-month reduction in his sentence as a result of the government's agreement to reward him for his cooperation . . . the government notes that [] it cannot be compelled to file another Rule 35 motion for the defendant, ..."). Accordingly, the court DENIES WITHOUT PREJUDICE Defendant Michael Anthony McDowell's Motion to Compel Relief Sought. (ECF No. 386.)

ECF # # 393 at 1-2 of 2.

The Fourth Circuit affirmed the district court's decision by finding:

> Michael Anthony McDowell appeals the district court's order denying his motion to compel the Government to file a motion for reduction of McDowell's sentence. We have reviewed the record and find no reversible error. Accordingly, we

[1] Third-party assistance is someone else provides assistance to authorities by making controlled purchases, recording incriminating statements, etc., which aid a person seeking a sentence reduction.

affirm. United States v. McDowell, No. 6:11-cr-00589-JMC-2 (D.S.C. July 20, 2022). We also grant McDowell's motion to seal his informal brief. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

United States v McDowell, No. 22-6886 (4th Cir. Feb. 24, 2023); Appendix A.

Petitioner ***opposes*** the Order of the District Court and the unpublished opinion of the Fourth Circuit for several reasons. First, Petitioner ***opposes*** the finding that the grant of a USSG Section 5K1.1 motion which was filed by the Government at sentencing satisfied the Government's obligation for a downward departure motion after sentencing. Petitioner was arrested on or about May 12, 2011 and charged in four counts of an eleven-count Indictment. **ECF # 3.** After he was arrested and confronted with the evidence against him, Petitioner started debriefing with the several members of Greenville County Vice Squad, and FBI Agent Lisa Quillen. At first, with his counsel presence, Petitioner was debriefed about his co-defendants, and he connected the dots and cross the t's on some information authorities had and he provided new information about his co-defendants. In several debriefing after the first debriefing, Petitioner was shown and identified several other suspected individuals that were involved in drugs and he provided information on most of them.

Before Petitioner was sentenced on January 12, 2012, he had provided information on his co-defendants in the instant matter and the downward departure motion had been filed to reward him for that assistance. **Exhibit C at 3 of 9.** At sentencing, the Government informed the Court about the assistance Petitioner had provided against his co-defendants in the instant matter, the Government also informed the Court that Petitioner had provided information in an on-going investigation and that

he would more than likely be brought back for an additional reduction pursuant to Rule 35 (b). **Id**. Even though, Petitioner had provided information in another on-going investigation before he was sentenced, he was not rewarded for his assistance; because, the targets had neither been arrested nor prosecuted.

Through the information provided by Petitioner, several defendants were investigated, arrested and convicted by guilty pleas in state or federal court. In December 2011, Agent Quillen, Task Force Officer Darrick Hall, and two other vice officers visited Petitioner at the Anderson City jail and interviewed him in the presence of his attorney, Carlyle Steele. During the interview, Petitioner was shown more photos of other individuals he knew and had dealt drugs that included Brandon Johnson, Brit (first name not know) Johnson, Michael Lowndes, Preston Lowndes, Jermel Gaines, Shabasco Grey, and Shamus C. Sullivan.

During the December interview, Agent Quillen explained third-party assistance to Petitioner and she asked him if he had someone who could make controlled purchases of drugs from some of the individuals he had identified. *Agent Quillen told Petitioner that through third-party assistance, he could lower his 240-month sentence.* Petitioner volunteered his girlfriend, Danita Alexandra, who was a dancer, as a third-party, who could make controlled purchases of drugs from some of the individuals he had identified. Once Petitioner informed Danita about the third-party assistance she could provide that could help to lower his sentence, Danita met with Agent Quillen and signed a contract to provide third-party assistance so that Petitioner could receive a reduction in his sentence. Danita started making controlled purchases from some of the individuals in which she was directed to by the Task Force. Danita made controlled purchases from Michael

Lowndes, Preston Lowndes, Shabasco Gray, and Jermel Gaines after Petitioner was sentenced on January 12, 2012.

Brandon Johnson was arrested on July 20, 2015, pled guilty on December 7, 2015, and was sentenced on May 12, 2016. See 6:14-662-MGL-1 (SCD). Gray was federally indicted on three substantive distribution offenses that occurred on February 8, 2012, February 29, 2012, and September 6, 2013, and Danita made at least one of those purchases if not all of them. See 6:13-cr-00620-MGL-1 (SCD). Gaines and Gray were co-defendants, and Gaines also had at least three substantive distribution offenses that occurred on July 21, 2011, January 10, 2012, and January 19, 2012. As a third-party, Danita made controlled purchases from Gaines on January 10 and 19, 2012. Petitioner provided information on Shamus C. Sullivan before he was sentenced which led to Sullivan being indicted on or about November 8, 2011. **See 6:11-cr-2287-HMH (SCD).**

Most of the third-party assistance provided by Petitioner's girlfriend, Danita, was provided after Petitioner was sentenced. Now, whether the Government accepts third-party assistance or not as a way for cooperating defendants to receive a downward departure motion, the deal was made by the Government's investigating arm, FBI Agent Quillen and the Federal Task Force, and should be honored.

Lastly, Petitioner ***opposes*** the finding that there was not any unrewarded substantial assistance to the Government [provided by Petitioner]. This is refuted by the Government's own words at Petitioner's sentencing, wherein, the Government informed the Court that Petitioner was cooperating against a large drug ring and that he would be brought back for another reduction under Rule 35 (b) once the ongoing investigation was completed. **Exhibit C at 3 of 9.** And the Court accepted the facts that Petitioner was

continuing to cooperate and was looking to be brought back for re-sentencing from a Rule 35 (b) motion by the Government. **See Id. at 6 of 9.**

Not only has the Government refused to file a Rule 35 (b) motion on behalf of Petitioner, the Government has breached the plea agreement, and the District Court should have enforced the agreement as a result of the breach. In pertinent parts, the plea agreement provided:

> 7. The Defendant agrees to be fully truthful and forthright with federal, state, and local law enforcement agencies by providing full, complete and truthful information about all criminal activities about which he has knowledge. The Defendant must provide full, complete and truthful debriefings about these unlawful activities and must fully disclose and provide truthful information to the Government including any books, papers, or documents or any other items of evidentiary value to the investigation.
>
> 10. Provided the Defendant cooperates pursuant to the provisions of this Plea Agreement, and that cooperation is deemed by the Government as providing substantial assistance in the investigation or prosecution of another person who has committed an offense, the Government agrees to move the Court for a downward departure or reduction of sentence pursuant to United States Sentencing Guidelines Section 5K1.1, Title 18, United States Code, Section 3553 (a) or Federal Rules of Criminal Procedure 35 (b).

ECF # 166 at 4-6 of 11. Defendant did what he was requested to do and he provided everything he knew on people in which he was requested to provide information. And, he provided a third-party to assist with the investigation of targets of the investigation. The Government has breached the agreement for failing to live up to the promises it or a paramount made on its behalf.

"When interpreting plea agreements, we draw upon contract law as a guide to ensure that each party receives the benefit of the bargain, and to that end, we enforce a plea agreement's plain language in its ordinary sense." United States v Warner, 820 F.3d 678, 683 (4th Cir. 2016) accord United States v Yooho Weon, 722 F.3d 583, 588 (4th

Cir. 2013). As is the case with other contracts, ambiguities in a plea agreement are "construed against the government as its drafter." United States v Barefoot, 754 F.3d 226, 246 (4th Cir. 2014). Indeed, because plea agreements involve waivers of constitutional rights, this Court reviews them "with greater scrutiny than it would apply to a commercial contract and hold the Government to a greater degree of responsibility than the defendant for imprecisions or ambiguities in plea agreements." United States v Davis, 714 F.3d 809, 814-15 (4th Cir. 2013). The fact that a plea agreement is at issue, however, does not give this Court a license to re-write the agreement or to create ambiguities where there are none. See United States v Zuk, 874 F.3d 398, 408 (4th Cir. 2017).

In Santobello, the Supreme Court stated that "when a plea rests in any significant degree on a promise or agreement of the prosecutor, so that it can be said to be part of the inducement or consideration, such promise must be fulfilled." Santobello v. New York, 404 U.S. 257, 261-62 (1971). The defendant Santobello was induced to plead guilty, because the prosecution promised that it would not make a sentence recommendation at sentencing. But, at sentencing and with a different prosecutor, the prosecution made a recommendation for a sentence at the top of the sentencing range. The Supreme Court found this action by the prosecution to be a breach of the agreement and remanded the case to the lower court for further action consistent with the agreement which Santobello and the prosecution had. Id., at 262-63. Where the bargain represented by the plea agreement is frustrated, the district court is best positioned to determine whether specific performance, other equitable relief, or plea withdrawal is called for. United States v

Jureidini, 846 F.2d 964, 965-66 (4th Cir. 1988); see also United States v Kurkculer, 918 F.2d 295 (1st Cir. 1990) (discussing remedies for government breach).

In the instant matter, the same principle should apply with respect to a promise by agents with the AUSA's office after the plea agreement has been signed and Petitioner had pled guilty; since the agents were a part of the prosecution office. The investigating agent, Agent Quillen, promised Petitioner that he could help himself by providing information on others, and he provided information on others and provided a third-party to make controlled purchases of drugs from targets of the investigation. The third-party assistance and the information Petitioner provided to Agent Quillen led to several individuals being investigated, prosecuted, and convicted by the same AUSA that prosecuted Petitioner, AUSA E. Jean Howard. See United States v Nelson, 744 F. Supp. 143, 147-48 (E.D. Ky. 1990) (defendant may file motion to compel specific performance of promise to make a Section 5K1.1 motion).

In Connor, the Fourth Circuit stated that the party alleging a breach had the burden of proving, by a preponderance of the evidence, that the government breached the agreement. To do this, the Fourth Circuit stated that the defendant had to demonstrate that he provided the degree of assistance contemplated by the agreement. United States v Connor, 930 F.2d 1073, 1077 (4th Cir. 1991). See United States v Urrego-Linares, 879 F.2d 1234, 1238 (4th Cir. 1989) (defendant bears burden of proof to establish any factors which would potentially reduce the sentence). See also Young v United States, 305 F. Supp. 305, 308 (E.D. N.C. 1990).

In the instant matter, Petitioner was promised help lowering his already reduced 240-month sentence before, during and after he was sentenced. Before the first

debriefing on others not connected to Petitioner, the agents had to go thru Petitioner's attorney and the AUSA's office, specifically, AUSA Howard, in order to debrief Petitioner. And, the agents had to file a report with Howard to be granted permission to do further debriefing. Before contracting to deal with a third-party for the investigation, Agent Quillen had to go through AUSA Howard. Therefore, any promises made by Agent Quillen to Petitioner must be attributed to and awarded by the AUSA Howard.

Even before Santobello, this Court has held that because plea agreements implicate the waiver of fundamental rights, plea agreements must be evaluated with reference to the requirements of due process. See Brady v United States, 397 U.S. 742 (1970). A defendant's rights relative to a plea bargain are grounded in more than contract; contract principles, while useful, do not completely define the obligations of the parties. "Plea agreements ... are unique in which special due process concerns for fairness and the adequacy of the procedural safeguards obtain." United States v Ready, 82 F.3d 551, 558 (2nd Cir. 1996) (quoting Carnine v United States, 974 F.2d 924, 928 (7th Cir. 1992); see also United States v Harvey, 791 F.2d 294, 300 (4th Cir. 1986) (the defendant's underlying "contract" right is constitutionally based and therefore reflects concerns that differ fundamentally from and run wider than those of commercial contract law.... "Constitutional ... concerns require holding the Government to a greater degree of responsibility than the defendant ... for imprecisions or ambiguities in plea agreements.").

Whenever, as here, with the Petitioner, a witness or potential defendant is induced to surrender his or her rights in return for any consideration or benefits promised by Government prosecutors, the prosecution must and should be compelled to uphold its end

of the bargain or agreement. Santobello, 404 U.S. at 257. At sentencing, where a section 5K1.1 reduction was granted by the Court, the Government informed the Court that Petitioner was continuing to cooperate and would likely be coming back for another reduction. **See Appendix C -sentencing transcript**. The following excerpts from sentencing show that everyone involved, which include counsel for Petitioner, Carly Steele, AUSA E. Jean Howard, the Court, and Petitioner, knew that if Petitioner continued to cooperate, he would be brought back for another reduction:

> AUSA HOWARD: Your Honor, the government is recommending a downward departure from life imprisonment to 20 years imprisonment. He has provided substantial assistance by giving information about his co-defendants in this case. He was -- cooperated very early on in the case, was willing to cooperate immediately. He has also cooperated in an ongoing investigation. He continues to cooperate and the government is not foreclosing the possibility that we would come back before your Honor at some time for a further reduction pursuant to Rule 35.

Appendix C at 3 of 9.

> THE COURT: Well, she says if he continues she will bring him back.
> MR. STEELE: Well, he is continuing to cooperate. I –
> THE COURT: Is that right?
> MR. STEELE: Yes, sir. THE DEFENDANT: Yes, sir.

Appendix C at 4 of 9.

> THE COURT: Well, I'll give him 240 months at this time and then, of course, you well know she's got to bring you back on her motion, the government's motion, so then we'll get down to the nitty gritty.

Appendix C at page 5 of 9.

The Supreme Court's decision in Mabry stands for the proposition that courts may not analyze plea agreements strictly by contract principles, because once the defendant has fully performed, his bargain receives constitutional protection under the Due Process Clause. Mabry v Johnson, 467 U.S. 504, 507 (1984). In addition, courts have freed the

government of its obligations under a plea agreement where the defendant breached by failing to perform his part of the bargain. United States v Partida-Parra, 859 F.2d 629, 633 (9th Cir. 1988). In some cases, where a plea agreement also comprises an ongoing element - such as cooperating with the government or testifying - of an investigation, the defendant's constitutional protection is not complete until his performance is complete.

A defendant's guilty plea thus "implicates the Constitution," transforming the plea bargain from a "mere executory agreement" into a binding contract. Mabry, 467 U.S. at 507–08 (1984). In other words, a guilty plea seals the deal between the state and the defendant, and vests the defendant with "a due process right to enforce the terms of his plea agreement." Buckley v C.A. Terhune, 441 F.3d 688, 694 (9th Cir. 2005) (citing Santobello, 404 U.S. at 261–62); see also Doe v. Harris, 640 F.3d 972, 975 (9th Cir. 2011); Brown v. Poole, 337 F.3d 1155, 1159 (9th Cir. 2003).

CONCLUSION

Petitioner has shown that his due process rights were violated by the Government's refusal to file a motion pursuant to Rule 35 (b) after he had done all that was required of him; and, he has shown that the district court failure to inquire to the matter was an abuse of its discretion and also a violation of his Sixth Amendment rights.

Respectfully submitted on the 21 day of April 2023.

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