In the Supreme Court of the United States

TRACY RENEE PENNINGTON,

Petitioner,

v.

STATE OF WEST VIRGINIA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h), I certify that the *Brief In Opposition* contains 7,614 words, excluding the parts of the brief that are exempt by Supreme Court Rule 33.1(d)

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

Executed on April 3, 2023.

Lindsay S. See Solicitor General Counsel of Record

OFFICE OF THE
WEST VIRGINIA ATTORNEY GENERAL
State Capitol Complex
Building 1, Room E-26
Charleston, WV 25305
Lindsay.S.See@wvago.gov
(304) 558-2021