

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

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IN THE

**Supreme Court of the United States**

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ROBERT LEE SWINTON, JR

*Petitioner,*

vs.

UNITED STATES,

*Respondent.*

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On Petition for a Writ of Certiorari  
to the United States Court of Appeals  
for the Second Circuit

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**DECLARATION OF STAND-BY COUNSEL REGARDING  
*PRO SE* SWINTON'S PETITION**

MICHELLE ANDERSON BARTH  
*CJA appointed Stand-by counsel for  
Petitioner*  
Law Office of Michelle Anderson Barth  
P.O Box 4240  
Burlington, VT 05406  
(619) 884-3883

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On June 5, 2023, CJA appointed Stand-by counsel for Mr. Robert Swinton filed Pro Se Swinton's Petition for Certiorari and accompanying documents. I provide the following declaration regarding the filing:

I, Michelle Anderson Barth, pursuant to 28 U.S.C. § 1746, hereby declare under the penalties of perjury the following:

1. On August 18, 2021, the undersigned was appointed as stand-by counsel to Mr. Swinton for the instant appeal before the Second Circuit Court of Appeals.

2. *Pro se* defendant Robert Swinton, in a series of emails to the undersigned, set forth the contents of his Petition for Certiorari, Appendix, Word Count Certificate, and his Motion to Proceed Informa Pauperis. He instructed the undersigned to file these documents electronically on his behalf and handle mailing vis USPS the appropriate copies to the Court and opposing counsel.

3. *Pro se* defendant Robert Swinton instructed the undersigned to file his Petition and accompanying documents, verbatim from his correspondence, save formatting and appendix tabbing. The undersigned provided templates for the aforementioned documents as samples for Mr. Swinton's use per his request.

4. Having complied with these directions, Mr. Swinton's Petition for Certiorari and accompanying documents were submitted today via the Court's Electronic Filing System.

5. The undersigned prepared the Certificate of Service for Mr. Swinton's petition. The undersigned signed the Certificate of Service herself because she filed the documents. She signed the Petition and accompanying documents for Mr. Swinton electronically with his express consent.

6. A copy of Mr. Swinton's completed filing was mailed to him on June 5, 2023.

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Dated at Burlington, Vermont, this 5th day of June, 2023.

By: /s/ Michelle Anderson Barth  
Michelle Anderson Barth  
Law Office of Michelle Anderson Barth  
P.O. Box 4240  
Burlington, Vermont 05406  
(619) 884-3883  
CJA appointed Stand-by Counsel for  
Appellant Robert Swinton