

IN THE  
**Supreme Court of the United States**

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JOHNNY ELLERY SMITH,  
*Petitioner,*

v.

UNITED STATES,  
*Respondent.*

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**On Petition for Writ of Certiorari to the  
United States Court of Appeals  
for the Ninth Circuit**

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**BRIEF FOR NATIONAL ASSOCIATION  
OF CRIMINAL DEFENSE LAWYERS AS *AMICUS  
CURIAE* IN SUPPORT OF PETITIONER**

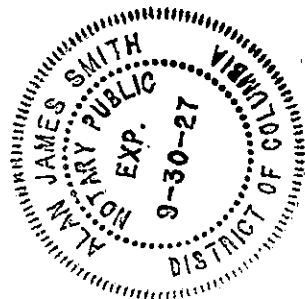
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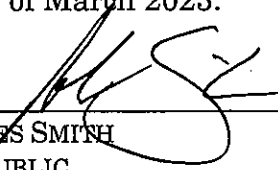
**CERTIFICATE OF COMPLIANCE**

As required by Supreme Court Rule 33.1(h), I certify that the document contains 2,967 words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

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

Sworn to and subscribed before me this 16th day of March 2023.



  
\_\_\_\_\_  
ALAN JAMES SMITH  
NOTARY PUBLIC  
District of Columbia

My commission expires September 30, 2027.