

No. 22-796

IN THE

**Supreme Court of the United States**

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JOHNNY ELLERY SMITH,

*Petitioner,*

v.

UNITED STATES,

*Respondent.*

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**CERTIFICATE OF WORD COUNT**

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As required by Supreme Court Rule 33.1(h), I certify that the document contains 5,024 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.

Executed on March 17, 2023.

*/s/ Rita L. Hemenway*

Rita L. Hemenway

NOTARIZED BY:

*/s/ George D. Bateman*

George D. Bateman

My Commission Expires: May 30, 2025