

# W A I V E R

## SUPREME COURT OF THE UNITED STATES

No. 23-123

Ezekial Flatten, et al.

(Petitioner)

Bruce Smith and Steve White

v.

(Respondent)

**I DO NOT INTEND TO FILE A RESPONSE** to the petition for a writ of certiorari unless one is requested by the Court.

**Please check the appropriate box:**

- I am filing this waiver on behalf of all respondents.
- I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

Respondent Bruce Smith

**Please check the appropriate box:**

- I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature:



Date:

8/11/23

(Type or print) Name **Michael G. Colantuono**

Mr.       Ms.       Mrs.       Miss

Firm

Colantuono, Highsmith & Whatley, PC

Address

420 Sierra College Drive, Suite 140

City & State

Grass Valley, CA

Zip 95945

Phone

(530) 432-7357

Email [MColantuono@chwlaw.us](mailto:MColantuono@chwlaw.us)

A copy of this form must be sent to petitioner's counsel or to petitioner if *pro se*. Please indicate below the name(s) of the recipient(s) of a copy of this form. No additional certificate of service or cover letter is required.

cc: John H. Scott; [john@scottlawfirm.net](mailto:john@scottlawfirm.net)  
William A. Cohan; [bill@williamacohan.com](mailto:bill@williamacohan.com)  
Kymberly E. Speer; [Kymberly.Speer@doj.ca.gov](mailto:Kymberly.Speer@doj.ca.gov)  
Christian M. Curtis; [curtisc@mendocinocounty.org](mailto:curtisc@mendocinocounty.org)