

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

IN THE

SUPREME COURT OF THE UNITED STATES

---

DAVID DAVALOS, SR.,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

---

**PROOF OF SERVICE**

---

I, Nelson S. Ebaugh, do swear or declare that on this date, October 6, 2023, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days. The names and addresses of those

served are as follows: Solicitor General of the United States, Room 5616, Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530-0001. I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 6, 2023.

/s/ Nelson S. Ebaugh  
Nelson S. Ebaugh  
NELSON S. EBAUGH P.C.  
3730 Kirby Drive, Suite 1200  
Houston, Texas 77098  
(713) 752-0700