CERTIFICATE OF SERVICE

I am counsel of record for Kenneth Eugene Smith and a member of the United States Supreme Court bar.

On January 18, 2024, I placed with UPS for overnight delivery, postage paid, one copy of the following documents:

- a copy of a petition for a writ of certiorari with appendices;
- a copy of an application for a stay of execution; and
- a copy of a motion to proceed *in forma pauperis*.

These documents and the envelope were addressed to:

Richard D. Anderson Assistant Attorney General Office of the Attorney General Capital Litigation Division 501 Washington Avenue Montgomery, AL 36130 Richard.Anderson@AlabamaAG.gov Edmund G. LaCour Jr. Solicitor General Office of the Attorney General 501 Washington Avenue Montgomery, AL 36130 Edmund.LaCour@AlabamaAG.gov Henry M. Johnson Assistant Attorney General Counsel of Record Office of the Attorney General 501 Washington Avenue Montgomery, AL 36130-0152 Henry.Johnson@AlabamaAG.gov

Thus, I accomplished service under Supreme Court Rule 29.

DATED: January 18, 2024

Respectfully submitted,

<u>/s/ Robert M. Grass</u> Robert M. Grass *Counsel of Record* Arnold & Porter Kaye Scholer LLP 250 West 55th Street New York, NY 10019-9710 Phone: 212-836-8000 Fax: 212-836-8689 robert.grass@arnoldporter.com

Counsel for Petitioner Kenneth Eugene Smith