No. 23A664 CAPITAL CASE

IN THE SUPREME COURT OF THE UNITED STATES

KENNETH EUGENE SMITH, Petitioner,

v.

STATE OF ALABAMA,

Respondent.

On Petition for a Writ of Certiorari to the Alabama Court of Criminal Appeals

CERTIFICATE OF SERVICE

I, Edmund G. LaCour Jr., a member of the Bar of this Court, do hereby declare that on this date, January 22, 2024, as required by Supreme Court Rule 29, I have caused three copies of the enclosed OPPOSITION TO APPLICATION FOR A STAY OF EXE-CUTION PENDING PETITION FOR WRIT OF CERTIORARI to be filed with the Clerk of the United States Supreme Court via third-party commercial carrier for delivery within 3 calendar days. I have also caused a copy of the same to be served by the same method and by by electronic mail on the following counsel for Petitioner:

Robert M. Grass Arnold & Porter Kaye Scholer LLP 250 West 55th Street New York, NY 10019-9710 Robert.Grass@arnoldporter.com 212-836-8000

Dated: January 22, 2024

<u>s/ Edmund G. LaCour Jr.</u> Edmund G. LaCour Jr. *Alabama Solicitor General* 501 Washington Ave. P.O. Box 300152

Montgomery, AL 36130 (334) 242-7300 edmund.lacour@AlabamaAG.gov *Counsel for Respondent*