IN THE Supreme Court of the United States

EARL PENN, Petitioner, v.

UNITED STATES, Respondent.

On Petition for a Writ of Certiorari To the United States Court of Appeals for the Eighth Circuit

CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h), I hereby certify that the document contains 1,231 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 June 10, 2025.

s/ Daniel P. Goldberg

Daniel P. Goldberg

Assistant Federal Public Defender

Counsel of Record

OFFICE OF THE FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT OF MISSOURI

1000 Walnut, Suite 600

Kansas City, Missouri 64106

Tel: (816) 471-8282

Dan Goldberg@fd.org