

In the Supreme Court of the United States

RANDALL MATHENA, WARDEN,

Petitioner,

v.

LEE BOYD MALVO,

Respondent.

CERTIFICATE OF COMPLIANCE

I, Ethan Townsend, a member of the Bar of this Court, certify pursuant to Rule 33.1(h) of the Rules of this Court that this brief of the American Bar Association as amicus curiae in support of respondent contains 3,853 words, excluding the parts of the brief that are exempted by Rule 33.1(d).

/s/ Ethan H. Townsend _____

Ethan H. Townsend