

AFFIDAVIT OF SERVICE

SUPREME COURT OF THE UNITED STATES

No. 24-

-----X

DONALD J. ENGLERT II,

Petitioner,

v.

ERNEST LOWERRE, SUPERINTENDENT OF FIVE POINTS
CORRECTIONAL FACILITY,

Respondent,

-----X

STATE OF NEW YORK)

COUNTY OF NEW YORK)

I, Ann Tosel, being duly sworn according to law and being over the age of 18, upon my oath depose and say that:

I am retained by Counsel of Record for *Petitioner*.

That on the 24th day of March, 2025, I served the within *Petition for a Writ of Certiorari, Volume II Appendix (Under Seal)* and *Petitioner's Application for Leave to Proceed in Forma Pauperis* in the above-captioned matter upon:

James Foster Gibbons, Assistant Attorney General
New York State Office of The Attorney General
Criminal Appeals and Habeas Corpus Bureau
28 Liberty Street, 14th Floor
New York, NY 10005
James.Gibbons@ag.ny.gov

by sending three copies of same, addressed to each individual respectively, through Priority Mail.

That on the same date as above, I sent to this Court eleven copies of the within *Petition for a Writ of Certiorari* and *Petitioner's Motion for Leave to*

Proceed in Forma Pauperis through the Overnight Next Day Federal Express, postage prepaid.

All parties required to be served have been served.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 24th day of March, 2025.

Ann Tosel

Ann Tosel

Sworn to and subscribed before me
this 24th day of March, 2025.

Mariana Braylovsky

MARIANA BRAYLOVSKIY
Notary Public State of New York
No. 01BR6004935
Qualified in Richmond County
Commission Expires March 30, 2026



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