No. 25-7141

IN THE SUPREME COURT OF THE UNITED STATES

DAVID WAYNE DEPAPE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Ninth Circuit

PROOF OF SERVICE

JODI LINKER
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Northern District of California
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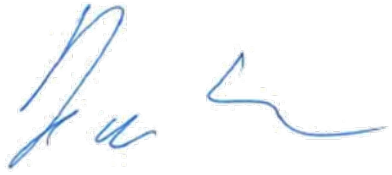
I, Todd M. Borden, appointed counsel for Petitioner David Wayne DePape, do swear or declare that on this date, August 13, 2026, I have caused to be served one copy and one electronic copy of the enclosed PETITION FOR A WRIT OF CERTIORARI, MOTION TO PROCEED IN FORMA PAUPERIS, AND APPENDIX TO PETITION FOR WRIT OF CERTIORARI, in the foregoing case to be served by first class mail, postage prepaid, and by email, on the following party:

D. John Sauer
Solicitor General of the United States
Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530
supremectbriefs@usdoj.gov

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

Executed on October 29, 2026, at San Francisco, California.

Respectfully submitted,
JODI LINKER
Federal Public Defender
Northern District of California



TODD M. BORDEN*
Assistant Federal Public Defender
Attorney for Petitioner
** Counsel of Record*