

IN THE  
**Supreme Court of the United States**

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EDWARD G. MCDONOUGH,  
*Petitioner,*  
v.

YOUEL SMITH, INDIVIDUALLY AND AS SPECIAL DISTRICT  
ATTORNEY FOR THE COUNTY OF RENSSELAER,  
NEW YORK, AKA TREY SMITH,  
*Respondent.*

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

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**BRIEF *AMICUS CURIAE*  
CAUSE OF ACTION INSTITUTE  
IN SUPPORT OF PETITIONER**

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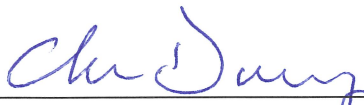
**CERTIFICATE OF COMPLIANCE**

As required by Supreme Court Rule 33.1(h), I certify that the document contains 3,534 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.

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Executed on November 15, 2018.



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Christopher R. Dorsey  
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