David A. Walker Schneider Wallace Cottrell Konecky, LLP 3700 Buffalo Speedway, Ste 960 Houston, Texas 77098

September 5, 2024

Mr. Redmond K. Barnes Supreme Court of the United States Office of the Clerk Washington, DC 20543-0001

> RE: Plotagraph, Inc., et al. USCA Fed. Cir. #23-1058

Dear Mr. Barnes,

The above-entitled petition for a writ of certiorari, mailed to the Court on June 24, 2024, was returned with communication dated July 12, 2024. The petition was deemed to be out-of-time. Additionally, the petition and appendix must be formatted in compliance with Rule 33.1. An affidavit of mailing pursuant to Rule 29.2 must be provided due to the missing or illegible postmark.

This communication responds to these issues. Please find enclosed the Affidavit of Mailing and other responsive documen s.

Sincerely,

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David A. Walker

## Affidavit of Mailing Petition for Writ in Plotagraph, Inc., et al., USCA Fed. Cir. #23-1048

I, David A. Walker, placed the above captioned Petition in the U.S. Mail on June 24, 2024, at the U.S. Post Office in Katy, Texas, to the U.S. Supreme Court, that has been stamped received Jul-8 2024 at the Office of the Clerk of the Supreme Court.

In accordance with 28 U.S.C. 1746, I hereby declare and affirm under penalty of perjury the forgoing is true and correct to the best of my knowledge, information, and belief, and the accompanying documents/exhibits, are true and correct.

Executed in Katy, Texas, this 5<sup>th</sup> day of September, 2024.

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David A. Walker Attorney for Plotagraph, Inc.