

No. 08-1402

IN THE
Supreme Court of the United States

MARY BERGHUIS, Warden,
Petitioner,

vs.

DIAPOLIS SMITH,
Respondent.

**On Writ of Certiorari
to the United States Court of Appeals
for the Sixth Circuit**

**BRIEF AMICUS CURIAE OF THE
CRIMINAL JUSTICE LEGAL FOUNDATION
IN SUPPORT OF PETITIONER**

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