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STATE OF WISCONSIN
C O U R T O F A P P E A L S
DISTRICT I

Case No. 2023AP218-CR

IN THE INTEREST OF JAYDEN ADAMS,
A PERSON UNDER THE AGE OF 17:

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

JAYDEN ADAMS,

Defendant-Appellant.

ON APPEAL FROM AN ORDER DENYING A TRANSFER
OF JURISDICTION TO JUVENILE COURT, ENTERED IN
THE MILWAUKEE COUNTY CIRCUIT COURT, THE
HONORABLE LAURA GRAMLING PEREZ, PRESIDING

BRIEF OF PLAINTIFF-RESPONDENT

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INTRODUCTION

Adams is charged with six felonies for his involvement in a crime spree and hit and run that left a woman dead. The callous nature of Adams' crimes traumatized a community. And while Adams was fourteen years old when he committed these crimes, the severity of one of them gave the criminal court exclusive original jurisdiction over Adams' case.

In this appeal, Adams challenges the circuit court's ruling denying his motion for discovery and the circuit court's order denying him a reverse waiver back to juvenile court. But Adams is not entitled to relief. This Court lacks jurisdiction to review the discovery decision because the ruling was never reduced to writing. But if this Court somehow has jurisdiction to hear Adams' discovery claim, the circuit court properly denied relief because Adams did not have a right to discovery prior to the preliminary hearing. The circuit court also reasonably exercised its discretion when it denied Adams' reverse waiver petition. The record supports the court's conclusion that Adams failed to make the requisite showing. This Court should affirm.

ISSUES PRESENTED

1. Does this Court lack jurisdiction to review the circuit court's ruling on Adams' discovery motion?

This Court should answer: Yes.

2. Was Adams entitled to discovery before the preliminary examination?

The circuit court answered: No.

If this Court has jurisdiction to hear this claim, it should affirm.

3. Did the circuit court erroneously exercise its discretion when it denied Adams' reverse waiver petition?

This Court should answer: No.

STATEMENT ON ORAL ARGUMENT AND PUBLICATION

The State requests neither oral argument nor publication.

STATEMENT OF THE CASE

Adams is being charged with first-degree reckless homicide as party to a crime, taking a vehicle without consent by use of force and as party to a crime, hit and run resulting in death, driving without a license and causing death, unauthorized use of personal identifying information or documents as party to a crime, and fleeing an officer. (R. 5.)

The criminal complaint against Adams alleges that Adams, along with several friends, broke into a car in a motel parking lot with the intention of stealing it. The victim saw the suspects breaking into the car and confronted them. The suspects stole some things from the car, including change and cash, and fled on foot. (R. 5:4–5.) The victim went into the hotel and notified the security guard of the break-in. (R. 5:5.) Then the victim got into her SUV, drove up next to the kids, got out, and confronted them again. One of the kids told Adams to take the SUV and then someone punched the victim in the face. (R. 5:9.) Adams got into the driver's seat of victim's SUV, and when the victim tried to hold onto the door, Adams kicked the door into her face. (R. 5:9.) According to an eyewitness, Adams backed up the SUV and ran over the victim's head. (R. 5:5.) He then drove forward and reversed over her head a second time, shifted to drive, and dragged the victim forward. (R. 5:5.)

After killing the victim, Adams picked up the rest of his friends, drove to Walmart, and used the victim's credit card to buy nearly \$100 worth of merchandise. (R. 5:8.) The suspects eventually abandoned the stolen SUV and were caught in the vicinity of where they left it. (R. 5:7.)

After being charged, Adams requested discovery prior to the preliminary examination. (R. 8.) Adams filed his discovery motion on November 1, 2021. (R. 8.) On November 17, 2021, the circuit court issued an oral ruling, denying Adams' discovery motion. (R. 19.) The circuit court then held the preliminary hearing, where the court determined that there was probable cause that Adams had committed the original jurisdiction offense charged, namely first-degree reckless homicide as a party to a crime. (Pet. 3.)

Adams then requested a reverse waiver back to juvenile court, and the court held a reverse waiver hearing on December 29, 2022. (R. 60; 52.) Adams called six witnesses at the reverse waiver hearing. (Pet. 3–4.) After hearing the testimony and considering the record in the case, the circuit court denied Adams' request. (R. 52.) The court thoroughly discussed the legal standard for reverse waiver and the facts of Adams' case before concluding that Adams failed to meet his burden on two of the three requisite factors. (R. 52:17.) The court found that Adams had not shown that 1) if convicted, he could not receive adequate treatment in the criminal justice system; and 2) reverse waiver would not depreciate the seriousness of the offense. (R. 52:6–15.)

Adams now appeals both the discovery and the reverse waiver decisions.

ARGUMENT

Adams raises two issues on appeal. He challenges the circuit court's decision denying him discovery prior to the preliminary examination, and he challenges the circuit court's decision denying his petition for reverse waiver back to juvenile court. The Court lacks jurisdiction to hear the discovery challenge, but even if it has jurisdiction, Adams' argument fails because it is not legally supported. Adams' second argument fails because the circuit court properly

exercised its discretion when it denied Adams a reverse waiver.

I. This Court lacks jurisdiction to hear Adams' discovery claim.

A. An order must be in writing to make it eligible for review.

Pursuant to Wis. Stat. § (Rule) 809.50(1), a defendant who wants to appeal a non-final order must “seek leave of the court to appeal a judgment or order not appealable as of right under s. 808.03 (1) by filing with the court of appeals within 14 days after the entry of the judgment or order a petition and supporting memorandum, if any.” “An order is ‘entered’ when it is filed [with] the clerk of the circuit court.” *State v. Wolverton*, 193 Wis. 2d 234, 259, 533 N.W.2d 167 (1995), *abrogated on other grounds by State v. Dubose*, 2005 WI 126, 285 Wis. 2d 143, 699 N.W.2d 582; *see also* Wis. Stat. § 807.11(2). Therefore, Wis. Stat. § (Rule) 809.50(1) contemplates entry of a written order before a petition for leave to appeal can be filed. *See Wolverton*, 193 Wis. 2d at 259.

An oral ruling is not enough to give this Court jurisdiction. The ruling must be reduced to writing and entered by the clerk of court before an appeal can be taken. *State v. Powell*, 70 Wis. 2d 220, 222, 234 N.W.2d 345 (1975). “The fact that the reporter properly included the pronouncement in the transcript of the trial court proceeding does not elevate the oral pronouncement of the trial court to the status of a written order.” *Id.*

In short, “if a party seeks to invoke the jurisdiction of the appellate court, the order must be in writing.” *Powell*, 70 Wis. 2d at 222. And this Court is without jurisdiction to review an order until it is entered in writing. *Id.*; *see also State ex rel. Hildebrand v. Kegu*, 59 Wis. 2d 215, 216, 207 N.W.2d 658 (1973). The only time that non-final orders need not be reduced to writing to be eligible for review is in the context of

a direct appeal from a final order. *See Jacquart v. Jacquart*, 183 Wis. 2d 372, 380, 515 N.W.2d 539 (Ct. App. 1994).

Finally, the question of whether the Court has jurisdiction is a question of law that is reviewed de novo. *State v. Jacobs*, 2007 WI App 155, ¶ 3, 302 Wis. 2d 675, 735 N.W.2d 535.

B. Without a written order denying Adams' motion for discovery, this Court lacks jurisdiction to hear Adams' claim.

Adams' petition for leave to appeal expressly indicated that Adams was seeking "leave to appeal from a nonfinal order in Milwaukee County Case 2021-CF-4376, entered on January 23, 2023." (Pet. 1.) That January 23, 2023 order is the order denying reverse waiver. Now, in his brief on appeal, Adams challenges the circuit court's earlier decision on his discovery motion. But this Court lacks jurisdiction to hear Adams' claim regarding discovery because the court's decision denying his discovery request was never reduced to writing.

The November 17, 2021 decision on Adams' discovery motion was an oral ruling. (R. 19.) And that ruling has not been reduced to writing. So, since this appeal is not a direct appeal from a final order, this Court is without jurisdiction to review it. *Powell*, 70 Wis. 2d at 222; *Jacquart*, 183 Wis. 2d at 380.

Finally, it is worth noting that Adams did not petition for leave to appeal the circuit court's discovery ruling within the 14-day deadline set forth in Wis. Stat. § (Rule) 809.50(1). So, had the court's ruling been in writing, Adams' appeal of that decision would be untimely.

This Court lacks jurisdiction to review Adams' claim challenging the denial of his motion for discovery.

II. Adams was not entitled to discovery before his preliminary hearing.

A. Applicable law on preliminary hearings for juveniles subject to original jurisdiction of the criminal courts.

Wisconsin circuit courts have original adult court jurisdiction in criminal proceedings involving a juvenile who is alleged to have attempted or committed first-degree reckless homicide. Wis. Stat. §§ 938.183(1)(am), 940.01. Adams was charged with first-degree reckless homicide and thus Milwaukee County Circuit Court had original adult court jurisdiction over his case.

In cases such as these, the circuit court first holds a preliminary examination to establish probable cause for the violation that subjects the defendant to original adult court jurisdiction:

Notwithstanding s. 970.03, if a preliminary examination is held regarding a juvenile who is subject to the original jurisdiction of the court of criminal jurisdiction under s. 938.183 (1), the court shall first determine whether there is probable cause to believe that the juvenile has committed the violation of which he or she is accused under the circumstances specified in s. 938.183 (1) (a), (am), (ar), (b), or (c), whichever is applicable.

Wis. Stat. § 970.032(1).

“A preliminary examination under § 970.032(1) is different from a preliminary examination under Wis. Stat. § 970.03(1). Under § 970.03(1), the statutory purpose of the hearing is to determine ‘if there is probable cause to believe a *felony* has been committed by the defendant.’” *State v. Kleser*, 2010 WI 88, ¶ 55, 328 Wis. 2d 42, 786 N.W.2d 144 (quoting Wis. Stat. § 970.03(1)). “In contrast, under § 970.032(1), the court must determine whether there is probable cause to

believe that the juvenile has committed ‘*the* violation’ of which he or she is accused in the criminal complaint.” *Id.* ¶ 57.

The Court in *Kleser* explained that the more specific finding required under Wis. Stat. § 970.032(1) “is required not only to protect the juvenile from hasty, improvident, or malicious prosecution, but also to assure that the criminal court has ‘exclusive original jurisdiction’ of the juvenile by virtue of the juvenile’s probable violation of one of the [enumerated] offenses.” *Kleser*, 328 Wis. 2d 42, ¶ 57. And the Court noted that the difference in the statutory language means that “the defendant *must* be given some latitude in attacking the specific offense charged if a successful attack would alter the crime charged or negate the exclusive original jurisdiction of the criminal court.” *Id.* ¶ 65.

Finally, while a trial court’s discovery order is generally reviewed for an erroneous exercise of discretion, interpreting and applying statutes and case law implicates questions of law, which this Court reviews de novo. *Lane v. Sharp Packaging Sys., Inc.*, 2002 WI 28, ¶ 19, 251 Wis. 2d 68, 640 N.W.2d 788 (“We review the circuit court’s discovery order for an erroneous exercise of discretion.”); *Sands v. Whitnall School Dist.*, 2008 WI 89, ¶ 14, 312 Wis. 2d 1, 754 N.W.2d 439 (explaining that statutory interpretation is reviewed de novo); *Estate of Torres ex rel. Torres v. Morales*, 2008 WI App 113, ¶ 4, 313 Wis. 2d 371, 756 N.W.2d 662 (directing that the interpretation and application of case law is reviewed de novo).

B. No law afforded Adams the right to discovery before his preliminary hearing.

Adams frames his discovery argument as a right. He asserts that he is “entitled” to discovery. (Adams’ Br. 18.) But Adams has not identified the source of such a right. In fact, neither Wis. Stat. § 970.032(1) nor relevant caselaw creates a right to discovery prior to the preliminary examination.

As noted above, Wis. Stat. § 970.032(1), addresses preliminary examinations in cases where the adult criminal court has exclusive original jurisdiction over a juvenile. The statute, in pertinent part, directs the circuit court to “determine whether there is probable cause to believe that the juvenile has committed the violation of which he or she is accused.” Wis. Stat. § 970.032(1).

The statute does not address discovery, let alone create a right to discovery prior to the preliminary examination. Wis. Stat. § 970.032(1). So, by its plain terms, Wis. Stat. § 970.032(1) cannot be the source of the right Adams asserts.

Caselaw does not create such a right either. In fact, in adult proceedings, the Wisconsin Supreme Court has made clear that a defendant does not have a statutory or constitutional right to discovery prior to the preliminary examination. *State v. Schaefer*, 2008 WI 25, 308 Wis. 2d 279, 746 N.W.2d 457.

In *Schaefer*, the Court explained that “statutory discovery is designed to assure fairness at a criminal *trial*.” *Schaefer*, 308 Wis. 2d 279, ¶ 23 (emphasis added). And “[a] preliminary examination is not a trial.” *Id.* ¶ 24. Instead, “the preliminary examination is ‘intended to be a summary proceeding to determine essential or basic facts as to probability.’” *Id.* ¶ 34 (citation omitted).

Even though a defendant is not entitled to statutory discovery prior to the preliminary examination, a defendant may still use “less formal information-gathering techniques” and present evidence at the hearing. *Schaefer*, 308 Wis. 2d 279, ¶ 30; Wis. Stat. § 970.03(5). “[A defendant] may call witnesses to rebut the plausibility of a witness’s story and probability that a felony was committed.” *Schaefer*, 308 Wis. 2d 279, ¶ 35.

Adams argues that the *Kleser* case creates a right to discovery in cases like his. (Adams’ Br. 18.) But Adams

misreads *Kleser*. *Kleser* does not create a right to discovery for preliminary hearings under Wis. Stat. § 970.032(1).

While the Court in *Kleser* made a point to explain that preliminary examinations under Wis. Stat. § 970.032(1) (original jurisdiction of juveniles) are different than preliminary examinations in adult proceedings, the Court did not say that there is a right to discovery for preliminary hearings under Wis. Stat. § 970.032(1). *Kleser*, 328 Wis. 2d 42, ¶ 55. Notably, the defendant in *Kleser* waived his right to a preliminary examination, so much of the Court's discussion relates to evidence admissible at the reverse waiver stage of the process, not the preliminary examination. *Id.* ¶ 2.

What the *Kleser* Court said was that juvenile defendants should have the right to attempt to negate the specific offense granting the court exclusive original jurisdiction. *Kleser*, 328 Wis. 2d 42, ¶ 60. And the Court stated, "the defendant *must* be given some latitude in attacking the specific offense charged if a successful attack would alter the crime charged or negate the exclusive original jurisdiction of the criminal court." *Id.* ¶ 65. But beyond noting that juvenile defendants "*must* be given some latitude in attacking the specific offense charged," the Court did not go into detail about what that latitude entails. *Id.*

Considering the "less formal information-gathering techniques" discussed in *Schaefer*, the latitude referenced in *Kleser* could include greater latitude in calling witnesses to rebut the plausibility of a State witness's story, or latitude in questioning the State's witnesses. *Schaefer*, 308 Wis. 2d 279, ¶ 30.

In Adams' case, he was charged with first-degree reckless homicide, and that is the charge that triggered the criminal court's original jurisdiction. (R. 5.) Prior to the preliminary examination, the State had given Adams numerous pages of police reports and the criminal complaint,

so Adams had the information necessary to attack the specific offense charged. (R. 18:21–22.) According to *Kleser*, Adams was entitled “some latitude” to present evidence to attack the element of that crime that distinguishes first-degree reckless homicide from non-original jurisdiction offenses, such as second-degree reckless homicide. *See Kleser*, 328 Wis. 2d 42, ¶ 65. The circuit court expressly granted that latitude in the form of greater freedom to question witnesses at the hearing. (R. 19:14–15.)

Adams’ discovery argument fails because he has not shown that he had a right—derived from either statute or caselaw—to discovery prior to the preliminary examination.

III. The circuit court properly exercised its discretion in denying reverse waiver.

A. Applicable law on reverse waiver proceedings and standard of review.

After a preliminary examination, “[i]f the court finds probable cause to believe that the juvenile has committed the violation of which he or she is accused . . . the court shall determine whether to retain jurisdiction or to transfer jurisdiction” to the juvenile court. Wis. Stat. § 970.032(2).

Wisconsin Stat. § 970.032(2) provides that the court shall retain adult court jurisdiction unless the juvenile proves by a preponderance of the evidence all of the following:

(a) That, if convicted, the juvenile could not receive adequate treatment in the criminal justice system.

(b) That transferring jurisdiction to the court assigned to exercise jurisdiction under . . . [ch.] 938 would not depreciate the seriousness of the offense.

(c) That retaining jurisdiction is not necessary to deter the juvenile or other juveniles from committing the violation of which the juvenile is accused

See *Kleser*, 328 Wis. 2d 42, ¶¶ 51, 67–68. The procedure set forth in Wis. Stat. § 970.032(2) is commonly referred to as reverse waiver. See *id.* ¶ 67.

“A decision to retain or transfer jurisdiction in a reverse waiver situation is a discretionary decision for the trial court.” *State v. Dominic E.W.*, 218 Wis. 2d 52, 56, 579 N.W.2d 282 (Ct. App. 1998). “Reverse waiver’ refers to the procedure by which an adult court transfers a case against a juvenile offender to juvenile court.” *State v. Toliver*, 2014 WI 85, ¶ 18 n.7, 356 Wis. 2d 642, 851 N.W.2d 251. “Although the usual situation under the reverse waiver statute is that the criminal court will retain jurisdiction over the juvenile, it is not mandatory.” *Dominic E.W.*, 218 Wis. 2d at 59.

“An appellate court will affirm a discretionary decision if the circuit court examined the relevant facts, applied a proper standard of law, and using a demonstrated rational process, reached a conclusion that a reasonable judge could reach.” *Kleser*, 328 Wis. 2d 42, ¶ 37. “When reviewing a trial court’s exercise of discretion, [this Court] will look for reasons to sustain the decision.” *State v. Verhagen*, 198 Wis. 2d 177, 191, 542 N.W.2d 189 (Ct. App. 1995).

B. The circuit court applied the correct law and reached a logical conclusion based on the facts.

Adams’ second argument challenges the circuit court’s discretionary decision to deny Adams’ petition for reverse waiver back to juvenile court. This challenge fails because the circuit court properly exercised its discretion in denying the reverse waiver petition. The court applied the correct legal standard, considered the relevant facts, and reached a reasonable conclusion.

As just noted, “[i]n a reverse waiver hearing, the juvenile must prove all elements set out in [Wis. Stat.] § 970.032(2)(a), (b), and (c) by a preponderance of the

evidence.” *Kleser*, 328 Wis. 2d 42, ¶ 7. Specifically, the juvenile defendant must show that (1) “if convicted, the juvenile could not receive adequate treatment in the criminal justice system”; (2) “transferring jurisdiction to juvenile court would not depreciate the seriousness of the offense”; and (3) “retaining jurisdiction is not necessary to deter the juvenile or other juveniles from committing the violation of which the juvenile is accused.” *Id.* ¶ 72.

Turning to the first prong under Wis. Stat. § 970.032(2), the circuit court reasonably concluded that Adams did not make the requisite showing that he cannot receive adequate treatment through the adult criminal justice system. (R. 52:9.) The circuit court provided a thorough explanation of its decision on this factor, explaining that Adams does not have any special or unusual treatment needs. (R. 52:4.) And all the treatment needs that Adams’ expert witness, Dr. Kavanaugh, recommended are available at Lincoln Hills, regardless of whether Adams is placed there through a juvenile order or an adult sentence. (R. 52:4.)

The court also noted that Adams would likely get a longer period of treatment through an adult sentence than through a juvenile order. (R. 52:4–5.) And the court explained that, even if Adams is still in custody when he gets old enough to transfer to an adult facility, he would still receive substantially the same services. (R. 52:5.) But given Adams’ young age, the court found that “many, if not most, or all, of [Adams’] treatment needs would really be substantially addressed by the time that [Adams] would be transferred from Lincoln Hills to an adult facility.” (R. 52:5.) Based on these, and similar considerations, the court reasonably determined that Adams did not meet his burden to show that he could not get adequate treatment through an adult sentence. (R. 52:9.)

Adams argues that the circuit court erroneously exercised its discretion “when it based its decision—in part—

on a misstatement of the evidence concerning the first factor for reverse waiver.” (Adams’ Br. 25.) Specifically, Adams takes issue with the court’s statement that “there is substantial evidence on the record that there is, at least, a very good chance that Jayden would be moved to RYOC [Racine Youthful Offender Correctional Facility] after his time at Lincoln Hills.” (R. 52:6.) Adams argues that this statement was inaccurate and that there was “no evidence presented at the reverse waiver hearing as to the likelihood that Jayden would transfer to RYOC.” (Adams’ Br. 24.)

The court’s statement about RYOC does not evince an erroneous exercise of discretion and is not a basis to overturn the reverse waiver decision. The judge’s discussion about Adams being transferred to RYOC is a reference to all the testimony in the record about where juvenile offenders go when they turn 18. (R. 59:150, 173–74.) There is a lot of testimony about RYOC, its treatment programs, its waitlist, and what offenders it serves. (R. 59:160, 163–64, 167, 171.) There is testimony that RYOC is a medium security facility that houses offender ages 18–24. (R. 59:171–73.) There is testimony in the record that RYOC is designed to be a transition between facilities like Lincoln Hills and facilities that house older adults. (R. 59:173–74.) And there is testimony in the record that the Department of Corrections tries “to put as many of the 18- to 24-year-olds that [it] can at RYOC.” (R. 59:174.) So, while Adams might disagree with the weight the court gave this testimony, it was not an erroneous exercise of discretion for the court to find substantial evidence in the record that there is a good chance Adams would be transferred to RYOC when he turned 18.

As to the second factor, the court found that Adams did not sufficiently show that a reverse waiver would not depreciate the seriousness of the offense. The court again gave a thorough and detailed explanation for its decision. The court noted that the charged offenses created significant trauma in

the community. (R. 52:10.) The court characterized the crimes as “an extraordinary incident, an incredibly tragic incident” and a “very great ongoing trauma and tragedy for the victim’s family.” (R. 52:11.) The court acknowledged that Adams is very young and that people his age can be immature and impulsive. (R. 52:11.) But the court went on to explain that “young people are able to make decisions about right and wrong. Young people are able to extricate themselves from dangerous situations and from situations they see spiraling out of control.” (R. 52:12.) The court noted that two of the other juveniles that were with Adams decided to walk away when the victim confronted them. (R. 52:13.) The court explained that it is important that Adams face a potential consequence in this case “that will recognize the significance of his actions for himself, and for the community, and for the victim and her family.” (R. 52:13.)

While discussing the second factor, the court also expressed a concern that Adams would not receive enough time in custody if he were tried in the juvenile system. (R. 52:14–15.) And ultimately the court concluded that it could not say that a juvenile order would not depreciate the seriousness of the crimes. (R. 52:13.)

Adams argues that the circuit court erroneously exercised its discretion on this factor as well. He asserts that the court erred when it “cited the presence of the victim’s family in court proceedings, and indicated that their presence weighed in favor of retaining jurisdiction in criminal court.” (Adams’ Br. 25.) Adams argues that the presence of the victim’s family is not a consideration relevant to the second factor. (Adams’ Br. 25.) But Adams is wrong, and he cites nothing to support his position.

The court mentioned the victim’s family in a broader comment about the significant trauma Adams’ crimes inflicted on the community. (R. 52:10.) And the court noted the victim’s family’s presence throughout the proceedings as

part of the court's finding "that this was an extraordinary incident, an incredibly tragic incident for the victim herself, but it's very clear to me that this has created very great ongoing trauma and tragedy for the victim's family." (R. 52:11.)

The court's comments are entirely appropriate. And the circuit court's conclusion that Adams failed the second statutory requirement for reverse waiver was a reasonable one based on the relevant factors. In other words, it was a proper exercise of discretion.

Finally, the court found that Adams "perhaps" had established the third factor. (R. 52:17.) But since Adams was required to show all three factors to warrant a reverse waiver, the court properly denied Adams' request.

CONCLUSION

This Court should affirm the circuit court's order denying the reverse waiver petition.

Dated this 8th day of August 2023.

Respectfully submitted,

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FORM AND LENGTH CERTIFICATION

I hereby certify that this brief conforms to the rules contained in Wis. Stat. § (Rule) 809.19(8)(b), (bm) and (c) for a brief produced with a proportional serif font. The length of this brief is 4,258 words.

Dated this 8th day of August 2023.

Electronically signed by:

Abigail C.S. Potts

ABIGAIL C. S. POTTS

CERTIFICATE OF EFILE/SERVICE

I certify that in compliance with Wis. Stat. § 801.18(6), I electronically filed this document with the clerk of court using the Wisconsin Appellate Court Electronic Filing System, which will accomplish electronic notice and service for all participants who are registered users.

Dated this 8th day of August 2023.

Electronically signed by:

Abigail C.S. Potts

ABIGAIL C. S. POTTS