

22-10 DUBIN V. UNITED STATES

DECISION BELOW: 27 F.4th 1021

LOWER COURT CASE NUMBER: 19-50912

QUESTION PRESENTED:

The federal aggravated identity theft statute provides: "Whoever, during and in relation to any felony violation enumerated [elsewhere in the statute], knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person, shall, in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of 2 years." 18 U.S.C. § 1028A(a)(1).

The question presented is whether a person commits aggravated identity theft any time he mentions or otherwise recites someone else's name while committing a predicate offense.

CERT. GRANTED 11/10/2022