

No. 17-8544

IN THE
Supreme Court of the United States

SHANNON D. ROBINETT,
Petitioner,

v.

UNITED STATES,
Respondent.

**On Petition for a Writ of Certiorari
To the United States Court of Appeals for the Eighth Circuit**

PETITIONER'S REPLY BRIEF

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The Solicitor General has conceded that the “question [Mr. Robinett] presents is related to the issue currently before this Court in Stokeling v. United States, cert. granted, No. 17-5554 (Apr. 2, 2018), which will address whether a defendant’s prior conviction for robbery under Florida law satisfies the ACCA’s elements clause.” Memorandum for the United States, pg. 1-2.

Based on this concession, this Court “may order that two or more cases involving the same or related questions be argued together as one case or on such other terms as the Court may prescribe.” Rule 27.3. This Court should grant Mr. Robinett’s petition for certiorari, and consolidate this case with *Stokeling* for oral argument. Notably, oral argument has not been scheduled yet in *Stokeling*. In his petition for certiorari, Mr. Robinett outlined the benefits as to why this Court should review the Eighth Circuit’s recent *en banc* opinion in *Swopes* with *Stokeling*. Robinett petition, pg. 4-8. And the Solicitor has not specifically disagreed.

Or, if this Court prefers, Mr. Robinett’s petition may be held pending the decision in *Stokeling* and then disposed of as appropriate in light of that decision.

Respectfully submitted,

/s/ Dan Goldberg
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