

In The
Supreme Court of the United States

UNITED STATES OF AMERICA,

Petitioner,

v.

JOSEPH DECORE SIMMS,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

BRIEF IN RESPONSE

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Petitioner asks this Court to review the Fourth Circuit's holding that the 18 U.S.C. § 924(c)(3)(B) definition of "crime of violence" is unconstitutionally vague. *See* App. 1a-107a. On January 4, 2019, this Court granted the government's petition for a writ of certiorari in *United States v. Davis*, No. 18-431 (argued April 17, 2019), to review the constitutionality of § 924(c)(3)(B). Accordingly, respondent agrees that the petition for a writ of certiorari should be held pending the Court's resolution of *Davis*, and then disposed of as appropriate in light of the decision in that case.

May 24, 2019

Respectfully submitted,

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