

No. 18-6025

IN THE SUPREME COURT OF THE UNITED STATES

RENE BORRERO, PETITIONER

v.

UNITED STATES OF AMERICA

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

MEMORANDUM FOR THE UNITED STATES

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Petitioner contends that his prior conviction for attempted armed robbery, in violation of Fla. Stat. §§ 812.13 and 777.04 (1997), was not a conviction for a “violent felony” under the elements clause of the Armed Career Criminal Act of 1984, 18 U.S.C. 924(e) (2) (B) (i). The Court is currently considering a related question in Stokeling v. United States, No. 17-5554 (argued Oct. 9, 2018). The petition for a writ of certiorari should therefore be held pending the Court’s decision in Stokeling and then disposed of as appropriate in light of that decision.*

* The government waives any further response to the petition for a writ of certiorari unless this Court requests otherwise.

Respectfully submitted.

NOEL J. FRANCISCO
Solicitor General

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