

Ms. Melissa Blalock
Case Analyst
Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

February 7, 2019

18-7679

Rule 15.8
Request to Supplement
Intervening matter,
New cases...

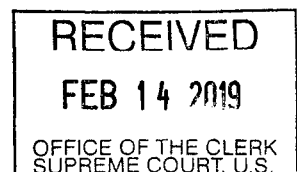
Dear Ms. Blalock:

Thanks for your attention, I have a issue that involves new cases, new legislation, and or other intervening matter that was not available at the time of the party's last filing.

Now In light of *Simms v. United States* No. 15-4640 "Conspiracy to Commit Hobbs Act Robbery is not a "Crime of violence."

However, The fourth circuit used "Conspiracy to Commit Hobbs Act Robbery as a crime of violence to career me out. The Fourth Circuit did however order the parties to brief on Whether Conspiracy to commit hobbs act robbery were a "COV"?

The Govt filed a motion to dismiss the appeal Pursuant to 318 U.S.C. § 3742(a)(2), which plainly states: That a defendant may file a notice of Appeal in the district Court for review of an otherwise sentence if the Sentence -- (1) was imposed in violation of law;



①

(2) was imposed as a result of an incorrect application of the sentencing guidelines;

Both subsection's (1) and (2) of the 18 U.S.C. § 3742(a)(2), gives Mr. Curry every right to appeal, because Curry's sentence was imposed as a result of an incorrect application of the Career offender enhancement, which was plainly applied in the violation of law.

Even the Fourth Circuit Court of appeals caught and or revealed this "plain error" and ordered both parties to brief on the matter.

The Gov't knew that they were in violation, which is why they framed an invalid plea waiver as to try to bar petitioner from being able to appeal the illegal sentence.

Petitioner has been denied the right to his 6th amendment, the right to effective assistance and is desperately seeking the courts help, asking to be appointed an attorny. to represent him at such a critical stage. In a nutshell, petitioner's issue was barred by an invalid plea waiver. The issue has been made precedent in the fourth circuit that Conspiracy to commit Hobbs act robbery is not a crime of violence in light of U.S. V. Simms No. 15-4640.

Curry's issue is of importance because he was denied effective assistance, which is also conclusive on Record; Curry's Direct Appeal should still be the until the decision of the U.S. Supreme Court.

Curry prays that this Court Grant, vacate, and Remand back to the Fourth Circuit, to resolve the issues of this unconstitutional sentence.

It is Precedent in the Fourth Circuit that "Conspiracy to commit Hobbs Act" is not a "Crime of violence". The same charge used as a predicate for career offender enhancement against Curry.

Surely, A defendant can't waive his right to contest an unconstitutional statute that's Now precedent in light of Simms.

Please enlighten me as to what steps and actions can take place at this point

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