

JEREMY GUTMAN
ATTORNEY AT LAW
40 FULTON STREET, 23RD FLOOR
NEW YORK, NEW YORK 10038

(212) 644-5200

E-MAIL: JGUTMAN@JEREMYGUTMAN.COM

July 12, 2019

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: Rudy Mendoza v. United States
No. 18-9234

Dear Mr. Harris:

On behalf of Petitioner Rudy Mendoza, and in accordance with Rule 15.5 of the Supreme Court Rules, I hereby waive the 14-day period for replying to the memorandum the government filed on July 10, 2019.

As the government submits, in light of the Court's decision in *United States v. Davis*, No. 18-431, holding 18 U.S.C. 924(c)(3)(B) unconstitutionally vague, Mendoza's Petition for Certiorari should be granted, the judgment of the Second Circuit should be vacated, and the case should be remanded for further consideration in light of *Davis*.

Respectfully submitted,

s/ Jeremy Gutman
Counsel of Record for Petitioner

cc: Noel J. Francisco (by email)