

In the  
Supreme Court of the United States

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Larry Watkins,

*Petitioner,*

v.

United States of America,

*Respondent.*

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On Petition for a Writ of Certiorari to  
The United States Court of Appeals  
For the Second Circuit

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#### **SUPPLEMENTAL BRIEF OF PETITIONER**

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## SUPPLEMENTAL BRIEF OF PETITIONER

Pursuant to Rule 15.8, Petitioner Larry Watkins submits this brief to call the Court’s attention to “matter not available at the time of [his] last filing.”

On February 18, 2020, Watkins filed his Petition for a Writ of Certiorari, which asks the Court to vacate, as moot, the Second Circuit’s judgment in this case.

On March 2, 2020, the Court vacated the judgments in two cases “as moot,” citing *United States v. Munsingwear, Inc.*, 340 U.S. 36 (1950). *See Bank of Am. Corp. v. Miami, FL*, No. 19-675, 2020 WL 981781, at \*1 (U.S. Mar. 2, 2020); *Wells Fargo & Co. v. Miami, FL*, No. 19-688, 2020 WL 981782, at \*1 (U.S. Mar. 2, 2020).

Watkins likewise invokes *Munsingwear*, in which the Court noted vacatur is “commonly utilized . . . to prevent a judgment, unreviewable because of mootness, from spawning any legal consequences.” 340 U.S. at 41. For example, in *Murphy v. Hunt*, 455 U.S. 478 (1982) (per curiam), the Court vacated a judgment that opined on a question of pretrial bail – and the constitutionality of a bail statute – after the defendant was convicted. Because the issue of “pretrial bail became moot following his convictions in state court, we now vacate the judgment of the Court of Appeals.” *Id.* at 481.

As briefed, *Hunt* is materially identical to this case: both judgments opine on moot questions of pretrial bail and the constitutionality of a bail statute. Thus, as in *Hunt* and last week’s rulings in *Bank of America* and *Wells Fargo*, the Court should vacate the judgment here “to prevent [it], unreviewable because of mootness, from spawning any legal consequences.” *Munsingwear*, 340 U.S. at 41.

## CONCLUSION

The Court should grant the petition for a writ of certiorari and vacate, summarily or otherwise, the judgment and opinion of the Court of Appeals.

Respectfully submitted,

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