



U.S. Department of Justice

Office of the Solicitor General

Washington, D.C. 20530

October 4, 2021

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

Re: United States v. Dzhokhar A. Tsarnaev, No. 20-443

Dear Mr. Harris:

For the convenience of the Court in advance of the October 13 oral argument in this case, we write to clarify the organization of the joint appendix. The joint appendix begins with the relevant docket entries from the courts below (J.A. 1-96). The two public volumes of the joint appendix then include materials relevant to the government's Statement of the Case (J.A. 97-275), followed by materials relevant to the first question presented (J.A. 276-534), followed by materials relevant to the second question presented (J.A. 535-889). The third volume of the joint appendix (J.A. 890-1026) includes materials partially under seal that pertain to the Statement of the Case and the second question presented. The government's objective in so organizing the joint appendix was to facilitate consideration of the complex record in this case by largely keeping together materials relevant to each respective question presented and materials that appeared together in the appellate record. Respondent did not object to this organization.

We also wish to inform the Court about three typographical errors regarding dates that appear in the joint appendix, which the government regrets.

- On J.A. 649, the date of the lobby conference should appear as "[Apr.] 17, 2015." The conference transcript in its original form is misdated "March 17, 2015," and the joint appendix provides an incorrect date of "Apr. 7, 2015." As indicated on the district court's docket (entry no. 1306), the conference occurred on April 17, 2015. The joint appendix table of contents entry corresponding to this document should also reflect that date.
- On J.A. 667, and in the accompanying joint appendix table of contents entry, the date of the filing should appear as "Apr. 14, 2015," rather than "Apr. 14, 2014."
- On J.A. 980, the date of the letter should appear as "Sept. 30, [2013]," rather than "Sept. 30, 2011." Although the letter is correctly reproduced in the joint appendix, the letter

was misdated in its original form; the letter was sent on September 30, 2013, as the joint appendix table of contents indicates.

I would appreciate it if you would distribute this letter to the Court.

Sincerely,

Brian H. Fletcher
Acting Solicitor General

cc: See Attached Service List

20-443

UNITED STATES OF AMERICA
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