

No: 20-5904

IN THE
SUPREME COURT OF THE UNITED STATES

TARAHRick TERRY,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO DISPENSE
WITH PREPARATION OF A JOINT APPENDIX

Pursuant to Rule 26.8 of this Court, Petitioner respectfully seeks leave to dispense with the requirement of a joint appendix in this case. Petitioner is authorized to state that counsel for the United States agrees that a joint appendix is unnecessary.

The question presented is whether pre-August 3, 2010 crack offenders sentenced under 21 U.S.C. § 841(b)(1)(C) have a “covered offense” under Section 404 of the First Step Act of 2018. The opinion of the United States Court of Appeals for the Eleventh Circuit and the opinion of the United States District Court for the Southern District of Florida are included in the appendix to the petition for a writ of certiorari.

The parties do not believe that any other portion of the record merits special attention that warrants the preparation and expense of a joint appendix. Accordingly, a separate joint appendix would not materially assist in the Court’s consideration of the case.

For the foregoing reasons, Petitioner respectfully requests that the motion to dispense with the requirement of a joint appendix be granted.

Respectfully submitted,

MICHAEL CARUSO
Federal Public Defender

Ft. Lauderdale, Florida
January 28, 2021

/s/ Andrew L. Adler
Andrew L. Adler
Counsel of Record
Assistant Federal Public Defender
1 E. Broward Blvd., Suite 1100
Ft. Lauderdale, FL 33301
(954) 356-7436