

No. 20-6027

IN THE SUPREME COURT OF THE UNITED STATES

MICHAEL MOORE, PETITIONER

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

MEMORANDUM FOR THE UNITED STATES

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Following a jury trial in the United States District Court for the Middle District of Florida, petitioner was convicted on one count of possessing a firearm as a felon, in violation of 18 U.S.C. 922(g)(1) and 924(e), and sentenced to 188 months of imprisonment, to be followed by five years of supervised release. Judgment 1-3. He unsuccessfully appealed, and now contends that the court of appeals' judgment should be vacated in light of this Court's decision in Rehaif v. United States, 139 S. Ct. 2191 (2019), and the case remanded for further proceedings. On January 8, 2021, this Court granted the petition for a writ of certiorari

in Greer v. United States, No. 19-8709, which concerns the application of plain-error review following trial and sentencing on a felon-in-possession charge. Because the Court's decision in Greer may affect the proper disposition of the petition for a writ of certiorari, the petition in this case should be held pending the decision in Greer and then disposed of as appropriate in light of that decision.*

Respectfully submitted.

ELIZABETH B. PRELOGAR
Acting Solicitor General

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* The government waives any further response to the petition for a writ of certiorari unless this Court requests otherwise.