

No. 20-6569

IN THE
SUPREME COURT OF THE UNITED STATES

QUINCEY FRYE,
Petitioner

v.

UNITED STATES OF AMERICA,
Respondent

*ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT*

REPLY TO GOVERNMENT'S MEMORANDUM REGARDING
PETITION FOR WRIT OF CERTIORARI

Marianne Mariano
Federal Public Defender
Martin J. Vogelbaum
Assistant Federal Public Defender
Counsel of Record
Federal Public Defender's Office
300 Pearl Street, Suite 200
Buffalo, New York 14202
Telephone: (716) 551-3341

On February 5, 2021 the Government responded to Quincey Frye’s petition for a writ of certiorari by noting that the proper disposition of his petition might be affected by this Court’s decision in *Greer v. United States*, No. 19-8709, in which the petition for a writ of certiorari was granted on January 8, 2021. The Government therefore suggested that Frye’s petition should be held pending this Court’s decision in *Greer*, “and then disposed of as appropriate in light of that decision.”

Frye agrees with the Government, and additionally notes that the proper disposition of his petition may be affected by this Court’s decision in *United States v. Gary*, No. 20-444, in which the petition for a writ of certiorari was also granted on January 8, 2021. Accordingly, Frye asks that his petition be held pending the decisions in *Greer* and *Gary*, and then disposed of as may be appropriate in light of those decisions.

Respectfully submitted,

Marianne Mariano
Federal Public Defender

By: /s/ Martin J. Vogelbaum
Martin J. Vogelbaum
Assistant Federal Public Defender
Counsel of Record

February 8, 2021