

No. 20-7194

IN THE SUPREME COURT OF THE UNITED STATES

LAMAR JOHNSON, PETITIONER

v.

UNITED STATES OF AMERICA

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

MEMORANDUM FOR THE UNITED STATES

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Petitioner contends (Pet. 6-8) that the court of appeals erred in rejecting his claim that Rehaif v. United States, 139 S. Ct. 2191 (2019), entitled him to vacatur of his convictions under 18 U.S.C. 922(g)(1) and 924(a)(2) on plain-error review following trial and sentencing. On January 8, 2021, this Court granted the petition for a writ of certiorari in Greer v. United States, No. 19-8709 (oral argument scheduled for Apr. 20, 2021), to consider the application of plain-error review in such circumstances. 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.