



**U.S. Department of Justice**

Office of the Solicitor General

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*Washington, D.C. 20530*

February 23, 2022

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

Re: Merle Denezpi v. United States, No. 20-7622

Dear Mr. Harris:

On February 22, 2022, this Court heard oral argument in the above-captioned case. This letter is submitted to correct a statement made by counsel for the government at oral argument. In response to questioning, counsel inadvertently stated that the prosecutor in a Court of Indian Offenses must be confirmed by the tribal council. See Tr. 62. The governing regulation instead provides: “Except as may otherwise be provided in a contract with the tribe occupying the Indian country over which the court has jurisdiction, the superintendent shall appoint a prosecutor for each Court of Indian Offenses within his or her jurisdiction.” 25 C.F.R. 11.204. We apologize for the error.

I would appreciate it if you would circulate this letter to the Members of the Court.

Sincerely,

Elizabeth B. Prelogar  
Solicitor General

cc: See Attached Service List

20-7622  
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