

No. 20-7859

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IN THE SUPREME COURT OF THE UNITED STATES

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DENVER LEE, PETITIONER

v.

UNITED STATES OF AMERICA

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

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MEMORANDUM FOR THE UNITED STATES

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Petitioner contends (Pet. 7-16) 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 conviction under 18 U.S.C. 922(g)(1) and 924(e) 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 (argued Apr. 20. 2021), to consider the application of plain-error review in such circumstances. Because the Court's decision in Greer could conceivably 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

MAY 2021

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