

No. 21-447

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In the Supreme Court of the United States

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MATTHEW NIX, 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 SECOND CIRCUIT*

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MEMORANDUM FOR THE UNITED STATES

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## MEMORANDUM FOR THE UNITED STATES

As relevant here, petitioner contends (Pet. 21-37) that attempted Hobbs Act robbery, in violation of 18 U.S.C. 1951(a), is not a “crime of violence” under 18 U.S.C. 924(c)(3). On July 2, 2021, this Court granted the petition for a writ of certiorari in *United States v. Taylor*, No. 20-1459 (oral argument scheduled for Dec. 7, 2021), to consider that issue. Because the Court’s decision in *Taylor* 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 *Taylor* and then disposed of as appropriate in light of that decision.\*

Respectfully submitted.

ELIZABETH B. PRELOGAR  
*Solicitor General*

NOVEMBER 2021

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

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