

No. 21-5112

IN THE SUPREME COURT OF THE UNITED STATES

DAVID STARKS, PETITIONER

v.

UNITED STATES OF AMERICA

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

MEMORANDUM FOR THE UNITED STATES

BRIAN H. FLETCHER
Acting Solicitor General
Counsel of Record
Department of Justice
Washington, D.C. 20530-0001
SupremeCtBriefs@usdoj.gov
(202) 514-2217

IN THE SUPREME COURT OF THE UNITED STATES

No. 21-5112

DAVID STARKS, PETITIONER

v.

UNITED STATES OF AMERICA

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

MEMORANDUM FOR THE UNITED STATES

Petitioner contends (Pet. 8-21) 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, 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.*

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

Respectfully submitted.

BRIAN H. FLETCHER
Acting Solicitor General

SEPTEMBER 2021