

IN THE SUPREME COURT OF THE UNITED STATES

TANNOUS FAZAH,

Petitioner,

v.

UNITED STATES OF AMERICA

Respondent.

NOTICE OF PARTIES' NON-INTEREST IN PETITION (RULE 12.6)

Petitioner, Tannous Fazah, hereby notifies the Court of his belief that Jose Cesar Sanchez, Jose Dorado, and Giselle Cosado, parties to the proceedings below, have no interest in the outcome of this petition. Sup. Ct. R. 12.6.

The petition raises the following question: “Whether the sentence enhancements for prior felony drug convictions apply to state felony convictions that have been recalled and resentenced as misdemeanors prior to federal sentencing.” Neither Mr. Sanchez nor Ms. Cosado raised this issue below. Counsel for Mr. Dorado, Gail Ivens, elected not to join this petition.

The petition also raises the following question: “Whether an individual co-conspirator convicted under 21 U.S.C. §846 is liable only for the type and quantity

of drugs that was reasonably foreseeable to him, and not for the entire amount involved in the full conspiracy.” Mr. Sanchez, Mr. Dorado, and Ms. Cosado have filed a petition with this Court raising the same question. Sanchez et al. v. United States, U.S. Case No. 21-5511. Their interests in the issue are fully addressed therein.

DATED: November 8, 2021

Respectfully submitted,



JAMES S. THOMSON
Counsel of Record