

No. 21-6490

IN THE SUPREME COURT OF THE UNITED STATES

EARL MCCOY, PETITIONER

v.

UNITED STATES OF AMERICA

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

MEMORANDUM FOR THE UNITED STATES

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Petitioner contends (Pet. 14-15) 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 (argued 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

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