No. 21-8053

In the
Supreme Court of the United States

RON DELANO KUNTZ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Third Judicial Circuit

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PETITION FOR A WRIT OF CERTIORARI

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Appointed Under the Criminal Justice Act by the District Court and Court of Appeals

QUESTION PRESENTED

The questions presented are:

1. Whether a conflict arises, thereby compelling federal courts to follow *Cuyler v. Sullivan*, 446 U.S. 335 (1980), when trial counsel's concurrent representation occurs during critical stages of the district court proceedings, but ends prior to trial.

2. Whether the District Court's imposition of a sentence enhancement not found by the jury violates *Alleyne v. United States*, 570 U.S. 99 (2013), thereby making summary reversal appropriate.

3. Whether the Sixth Amendment right to a jury trial is violated when a trial court instructs the jury that "interference with commerce by robbery is a crime of violence" in a case where neither the Indictment nor the final instructions to the jury specify the underlying theory of the crime of violence.

RULE 14.1(b) CERTIFICATE

Petitioner certifies as follows:

(i) Parties. The parties who appeared before the District Court of the Virgin Islands and the United States Court of Appeals for the Third Circuit, in the proceedings that resulted in the judgment from which a writ of certiorari is sought were Petitioner Ron Delano Kuntz and Respondent United States of America. Keaon Wilson and Shawn McIntosh were also co-Defendants in the District Court. Further, Jermaine Ayala, Wahilli James, Shaquielle Correa, Devon Davis and Robert Brown entered guilty pleas in the District Court.

(ii) Corporate Disclosure Statement. No corporation appeared in the District Court or in the Court of Appeals below.

(iii) Related Cases. The related cases are as follows: *United States v. Keaon Wilson*, Case No. 21-7071 (Supreme Court); *United States v. Keaon Wilson*, Case No.: 18-2727 (3d Cir.), *United States v. Shawn McIntosh*, Case No. 18-2696 (3d Cir.), *United States v. Ayala*, Case No. 18-2814 (3d Cir.), *In re: Keaon Wilson*, Case No. 20-2839; *United States v. Jarmaine Ayala*, 3:17-cr-26:01 (D.V.I.), *United States v. Wahilli James*, 3:17-cr-26:02 (D.V.I.), *United States v. Ron Delano Kuntz*, 3:17-cr-26:03 (D.V.I.), *United States v. Shaquielle Correa*, 3:17-cr-26:04 (D.V.I.), *United Staes v. Devon Davis*, 3:17-cr-26:05 (D.V.I.), *United States v. Keaon Wilson*, 3:17-cr-26:06 (D.V.I.), *United States v. Shawn McIntosh*, 3:17-cr-26:07 (D.V.I.), and *United States v. Robert Brown*, 3:17-cr-41 (D.V.I.).

The Opinion of the Court of Appeals is reported at *United States v. Kuntz*, Case No. 18-2695 (3d Cir. 2022). On February 25, 2022, the Court of Appeals denied Petitioner's timely motions for rehearing and rehearing *en banc*.

Petitioner is aware of no other related cases in any court or before this Court.

s/ Namosha Boykin
CJA Counsel of Record

TABLE OF CONTENTS

OPINIONS AND ORDERS

REHEARING ORDER

TABLE OF AUTHORITIES

Cases

Constitutional Provisions

Statutes

PETITION FOR A WRIT OF CERTIORARI

Ron Delano Kuntz, an indigent Defendant whose Constitutional rights were violated in the District Court and in the Court of Appeals, by and through Namosha Boykin of The Boykin Law Firm, PLLC, respectfully petitions this Court for a Writ of Certiorari to review the judgment of the United States Court of Appeals for the Third Circuit.

OPINIONS BELOW

The January 25, 2022 opinion of the United States Court of Appeals for the Third Circuit is reported as *United States of America v. Ron Delano Kuntz*, Case No. 18-2695 (3d Cir. 2022). That non-precedential opinion upheld the jury's verdict, which is based, in part, on insufficient evidence, and the sentence imposed by the District Court, which is based, in part, on facts not found by the jury. On February 25, 2022, rehearing and rehearing *en banc* was denied.

The July 19, 2018 judgment, entered by the District Court of the Virgin Islands on October 2, 2018, is reported as *United States of America v. Ron Delano Kuntz*, Crim. No. 2017-26 (D.V.I.).

JURISDICTION

On January 25, 2022, the opinion of the Court of Appeals for the Third Circuit was entered, affirming the judgment of the District Court. On February 8, 2022, Ron Delano Kuntz filed a Petition for Rehearing and Rehearing *En Banc*. On February 25, 2022, the Third Circuit denied the Petition for Rehearing and Rehearing *En Banc*.

This Court's jurisdiction is invoked pursuant to 28 U.S.C. § 1254(1), having timely filed this Petition for a Writ of Certiorari within ninety days of the Third Circuit's denial of the Petition for Rehearing and Rehearing *En Banc*. (Order entered February 25, 2022).

CONSTITUTIONAL AND STATUTORY PROVISIONS

Constitutional Provisions

The United States Constitution, Amendment V, provides in pertinent part:
"[n]o person shall be . . . deprived of life, liberty, or property, without due process of law[.]"

The United States Constitution, Amendment VI, provides in pertinent part: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, . . . and to have the assistance of counsel for his defense."

The United States Constitution, Amendment, VIII, provides in pertinent part that: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

The United States Constitution, Amendment XIV, provides in pertinent part:
"nor shall any State deprive any person of life, liberty, or property, without due process of law[.]"

Statutes

The Revised Organic Act of 1954, § 3, *reprinted in* V.I. CODE ANN., Historical Documents, Organic Acts, and U.S. Constitution at 86 (1995) (preceding V.I. CODE ANN. Tit. 1) ("The following provisions of and amendments to the Constitution of the United States are hereby extended to the Virgin Islands to the extent that they have not been previously extended to that territory and shall have the same force and effect there as in the United States or in any State of the United States: . . . the first to ninth amendments inclusive; . . . the second sentence of section 1 of the fourteenth amendment;").

STATEMENT OF THE CASE

Factual Background

On or about September 16, 2013, a robbery occurred at Gems and Gold Corner Jewelry Store on Waterfront, St. Thomas, U.S. Virgin Islands. On May 1, 2017, the United States of America filed a Complaint, charging several co-defendants with unlawful conduct in connection with that robbery. A November 17, 2017 Superseding Indictment charged Kuntz with Count I – Conspiracy to Commit Hobbs Act Robbery, Count II – Hobbs Act Robbery and Count III – Brandishing a Firearm During a Federal Crime of Violence.

On January 22-24, 2018, a jury trial was held for three co-Defendants: Kuntz, Wilson and McIntosh. The morning trial was scheduled to commence, Kuntz was anticipating a change of plea hearing. (App. Vol. III at 134-135.) Instead, likely due to a prior unsuccessful effort to plead guilty, the Court denied his request and compelled him to proceed to trial. (*Id.*) The evidence at trial reveals the following: Kuntz picked up four (4) people from the Seaplane, drove them to Walgreens to buy, and likely paid for, beach accessories before driving them to their rental accommodation. The Virgin Islands Police Department ("VIPD") asked Kuntz whether he was involved in the robbery; Kuntz replied 'no' and was taken at his word.

The Government's main witness Robert Brown ("Brown"), is an admitted participant in the robbery. For a period of time Brown and Kuntz were represented by the same counsel. According to Brown, Kuntz was not involved in the planning of the robbery. According to Brown, Kuntz was a passenger in a vehicle when Brown drove six (6) persons along Waterfront and up Solberg. According to Brown, he then departed the company of the others. Yet the Court allowed the admission of Brown's hearsay testimony that Kuntz subsequently telephoned Brown on a three-way call and said that he was "in the area" of the jewelry store. Subsequently, "[t]he four guys for the robbery[]" met Brown in Solberg. Kuntz was not the

driver, nor a passenger in the "getaway" vehicle. Instead, according to Brown, Kuntz arrived in Solberg separately, "a little while after[.]" According to Brown, two men other than Kuntz left with the proceeds of the crime; Kuntz did not receive money or jewelry in connection with the robbery. Brown was subsequently impeached concerning the benefits he received for his cooperation.

Kuntz moved for a judgment of acquittal at the close of the Government's case. The oral motion was denied. Kuntz renewed his motion for a judgment of acquittal at the close of all evidence. Despite the absence of any evidence of an overt act by Kuntz to further the conspiracy, the Court renewed its prior ruling.

On January 24, 2018, the jury returned a verdict of guilty as to all three co-Defendants on all three Counts.

Procedural Background

On January 24, 2018, the jury returned a verdict of guilty as to all three co-Defendants on all three Counts. On January 25, 2018, it was disclosed to trial counsel that the Court became aware the evening prior that Juror Number 35 had received the number 22 instead of the number 35. Neither number had been challenged during jury selection.

On October 2, 2018, the District Court entered its Judgment, sentencing Kuntz to a term of imprisonment of seventy-eight (78) months on Counts I and II, to be served concurrently. Kuntz was also sentenced to a term of imprisonment of eighty-four (84) months on Count III, to be served consecutively to the term of imprisonment on Counts I and II. A term of supervised release was imposed on each Count, to follow the term of imprisonment. An assessment and restitution were also imposed against all co-Defendants and Robert Brown ("Brown"), jointly and severally.

On July 30, 2018, Kuntz timely filed a notice of appeal to the Third Circuit.

REASONS FOR GRANTING THE WRIT

Due process, a fair trial and the right to counsel, over time, have been ingrained among the Constitutional protections that form the bedrock of one of the world's most enviable criminal justice systems, that of the United States of America. Allowing those protections to be eroded, one case at a time, one circuit conflict at a time and slowly over time, threatens not only the rights of individual Americans, but the foundation upon which the nation has been built.

The Petition for a Writ of Certiorari should be granted because the Third Circuit and the District Court have decided important federal questions in a way that conflicts with relevant decisions of this Court, in a way that conflicts with authoritative decisions of other United States Courts of Appeals and in a way that erodes the rights of criminal defendants and the ability of Americans to have confidence in those rights.

A. The Third Circuit Has Created a Circuit Split and Violated *Cuyler v. Sullivan*, 446 U.S. 335 (1980), and its Progeny, in Declaring That No Conflict of Interest Arises When Trial Counsel's Concurrent Representation During Critical Stages of the District Court Proceedings Ends Prior to Trial

The Sixth Amendment right to counsel and to a fair trial were violated by the concurrent representation of Kuntz and Brown, by the same appointed counsel, during critical stages of the proceedings. Brown is an admitted participant in the same unlawful conduct with which Kuntz was charged. Brown is the Government's most important witness. Brown has an extensive criminal history comprising illegal activity with which he has and has not been charged. Inexplicably, Brown and Kuntz, at a certain point in time, were represented by the same appointed counsel. Kuntz's conviction and sentence must be set aside and this case remanded for a new trial excluding Brown's testimony.

"The right to counsel guaranteed by the Sixth Amendment is a fundamental right." *Cuyler v. Sullivan*, 446 U.S. 335, 343 (1980) (*citing Argersinger v. Hamlin*, 407 U.S. 25, 29-

33 (1972)). This right "exists, and is needed, in order to protect the fundamental right to a fair trial." *Strickland v. Washington*, 466 U.S. 668, 684 (1984). The Sixth Amendment guarantees to the accused the right "to have the assistance of counsel for his defense." U.S. Const., Amend. VI. This right to counsel is inherent in the Fifth Amendment's prohibition against being "deprived of life, liberty or property without due process of law[.]" U.S. Const., Amend. V. Accordingly, "[u]nless a defendant charged with a serious offense has counsel able to invoke the procedural and substantive safeguards that distinguish our system of justice, a serious risk of injustice infects the trial itself." *Sullivan*, 446 U.S. at 341 (*citing Gideon v. Wainwright*, 372 U.S. 335, 344 (1963)). "[A] lawyer forced to represent codefendants whose interests conflict cannot provide the adequate legal assistance required by the Sixth Amendment." *Id.* at 345 (*citing Holloway v. Arkansas*, 435 U.S. 475, 481-82 (1978)). While the trial proceedings for Kuntz and Brown have different case numbers, they are, for all intents and purposes, co-Defendants. Kuntz's trial counsel objected to the concurrent representation; both in chambers and on the record. The District Court took the matter under advisement. But his counsel was never afforded the opportunity to investigate, have a hearing, or otherwise prove that his Sixth Amendment rights had been violated.

On appeal the Third Circuit held that "Kuntz was not denied effective assistance of counsel[,]" because "[b]y the time of trial, Kuntz and Brown each had his own counsel, so there was no conflict of interest." (App.3a.) The Third Circuit further held that "there is no indication the previous sharing of counsel with Brown affected Kuntz's trial counsel." That the Third Circuit turned the District Court's failure to act into a basis to deny Kuntz relief directly conflicts with the precedent of this Court.

It is well-established that counsel must be reasonably effective considering all circumstances. *Strickland v. Washington*, 466 U.S. 668, 669 (1984). It is equally well-established that "a defendant who objects to multiple representation must have the

opportunity to show that potential conflicts impermissibly imperil his right to a fair trial." *Sullivan,* 446 U.S. at 348. Kuntz was denied the opportunity to show that his right to a fair trial was imperiled. Moreover, in the case of "inherently prejudicial conflicts of interest[,]" a showing of prejudice to the defense need not be shown. *Sullivan*, 466 U.S. at 682. The concurrent representation below was inherently prejudicial. That the effect of that concurrent representation "result[ed] in actual and substantial disadvantage to the course of his defense[]" could not be more plain. *See id.*

Brown was able to enter into an extremely favorable plea agreement and Kuntz, despite his desire to do so and less-extensive criminal history, was not. Whether Kuntz's to enter into a plea agreement stemmed from the concurrent representation or issues that subsequently arose will remain unknown until Kuntz is afforded the opportunity to which he is entitled. Regardless, once the concurrent representation arose, prejudice should have been presumed. "'In certain Sixth Amendment contexts,' . . . 'prejudice is presumed.'" *Garza v. Idaho*, 139 S. Ct. 738, 744 (2019). "For example, no showing of prejudice is necessary 'if the accused is denied counsel at a critical stage of this trial[.]'" *Id.* (*citing United States v. Cronic*, 466 U.S. 648, 659 (1984)). At trial Brown admitted to having two criminal convictions and to being a cooperating witness for the Government. He admitted to being involved in a lifetime of criminal activity including drug smuggling, drug trafficking, robbery, two murders and illegal weapons activity. In agreeing to testify for the Government, Brown benefitted substantially by obtaining immunity concerning his past uncharged conduct. Without Brown's testimony it is highly unlikely that the Government would have been able to obtain a guilty verdict against Kuntz or the other co-Defendants. Prejudice should have been presumed.

Had the correct standard been applied and prejudice presumed, the proceedings below would have been invalidated and Kuntz afforded a new trial. Instead, like the court of

appeals in *Sullivan*, the Third Circuit did not weigh the requisite factors under the proper legal standard. Like the trial court in *Holloway v. Arkansas*, 435 U.S. 475, 484 (1978), the District Court had actual knowledge of a conflict or potential conflict and failed to act. It is of no moment that Kuntz subsequently obtained successor counsel when the damage may have already been done. The Court made this clear in *Mikens v. Taylor*, 535 U.S. 162 (2002), the conflict of interest was present at the time of trial. The Court reaffirmed the duty of the trial court to enquire when it knows that a conflict exists. *Id.* at 169; *see also Wood v. Georgia*, 450 U.S. 261 (1981). "[T]he Federal Rules of criminal Procedure . . . requir[e] a trial court to inquire into the likelihood of conflict whenever jointly charged defendants are represented by a single attorney[.]" *Mickens*, 535 U.S. at 175. The Court then held that when a trial court fails to enquire into a potential conflict of interest that it knew or should have known, where counsel did not protest the conflict, it is appropriate to void the conviction for petitioner to establish that the conflict of interest adversely affected his counsel's performance. *Id.* at 174. This was not done. Instead, the Third Circuit held that there was no conflict because Kuntz had new counsel at the time of trial. Kuntz is entitled to automatic reversal of the decisions below.

This represents a circuit split with the District of Columbia Circuit, *United States v. Gantt*, 140 F.3d 249, 254 (D.C. Cir. 1998); the Seventh Circuit, *United States v. Fuller*, 312 F.3d 287 (7th Cir. 2002); and the Eighth Circuit, *United States v. Young*, 315 F.3d 911 (8th Cir. 2003). In *Gantt,* identical to the case at bar, the defendant's counsel also represented another individual involved in the same case; that individual had been questioned by the government concerning Gantt's case, without the attorney's knowledge, and while the attorney was engaged in plea negotiations on behalf of Gantt in the same case. Gantt had different counsel by the time his trial occurred. Nonetheless, the D.C. Circuit applied *Cuyler* and *Strickland*, and found that no actual conflict of interest arose because the attorney was

unaware of the government's questioning of the other individual. *Id.* at 254. In *Fuller*, the Seventh Circuit reviewed the defendant's contention that his trial counsel had a conflict of interest at the time of a hearing on his motion to withdraw his guilty plea. The Seventh Circuit applied *Mickens,* found that trial counsel represented the defendant under a conflict of interest but that trial counsel's performance was adequate. *Fuller*, 312 F.3d at 293. In *Young*, the Eighth Circuit decided a case where the defendant alleged that his trial counsel was ineffective. The defendant was represented by different trial counsel at the time of sentencing The Eighth Circuit applied *Strickland*, and found that because "ineffective assistance of counsel in the *Strickland* sense is a constitutional violation that speaks to the validity of the defendant's conviction or sentence[,]" it is "not a valid ground for a downward departure under § 5K2.0." *Id.* at 915 (*citing United States v. Basalo*, 258 F.3d 945, 950 (9th Cir. 2001); *United States v. Bicaksiz*, 194 F.3d 390, 398 (2d Cir. 1999); *United States v. Martinez*, 135 F.3d 972, 980 (4th Cir. 1998)). In *Gantt, Fuller* and *Young*, the actual conflict had ceased prior to trial. Yet in each instance the circuit court applied the requisite framework and evaluated the conflict. In this case, the Third Circuit found that because the actual conflict had ceased prior to trial there was no conflict for it to review. (App.4a.) Granting the Petition for a Writ of Certiorari is warranted to afford the Court the opportunity to review the circuit split and determine the appropriate procedure to follow when an actual conflict arises, that is known to the trial court, and is not addressed, but ends prior to trial.

B. The Third Circuit Has Upheld a Sentence Enhancement That Was Not Found by a Jury, in Violation of *Alleyne v. United States*, 570 U.S. 99 (2013)

Kuntz received a two-level sentencing enhancement based upon post-trial submissions requesting restitution in the amount of $161,350.00. The amount of the loss to the victim jewelry store is not alleged in the Superseding Indictment, nor found by the jury in its verdict forms.

The documentary evidence in support of this restitution amount was not provided to Kuntz prior to or even during the trial. At trial the only evidence concerning the value of the stolen property was from the owner of the jewelry store, who testified that it was "a little over a hundred thousand" and from the Government's key witness, who testified that his appraiser concluded that most of the jewelry was fake, therefore, he would only pay Seven Thousand Dollars ($7,000.00) for it. Post-trial, a Restitution Report claims the loss amount to be $167,395.00. Factoring in an under-insurance penalty and the deductible, the insurance claim settled for $130,322.12. The Restitution Report asserts that the jewelry store keeps a detailed inventory, plus purchase invoices and receipts. However, the only substantiation provided to Kuntz, several hand-written receipts,

The United States advocated for and the District Court imposed a sentence within the advisory Guidelines range and in consideration of the sentencing factors set forth in 18 U.S.C. § 3553(a). The Third Circuit emphasized the status of the Guidelines as being discretionary in nature, not mandatory. (App.5a.) Therefore, even though the conflicting evidence regarding the amount of loss by and restitution due to the victim was not found by a jury, the Third Circuit found this constitutionally infirm evidence sufficient to support a two-level sentencing enhancement. These decisions violate the very clear and well-established precedent of the Court.

"Other than the fact of a prior conviction, any fact that increases the penalty for a crime beyond the prescribed statutory maximum must be submitted to a jury, and proved beyond a reasonable doubt." *Apprendi v. New Jersey*, 530 U.S. 466, 490 (2000). In *Ring v. Arizona*, 536 U.S. 584, 589 (2002), the Court held that "capital defendants, no less than noncapital defendants, we conclude, are entitled to a jury determination of any fact on which the legislature conditions an increase in their maximum punishment." Yet trial courts continued to play fast and loose with the Sixth Amendment rights of defendants.

Accordingly, in *United States v. Booker*, 543 U.S. 220 (2005), the Court found that yet another sentence that increased the maximum punishment on findings not found by a jury violated the Sixth Amendment. Further, *Booker* defined the "statutory maximum" punishment as "the maximum sentence a judge may impose solely on the basis of the facts reflected in the jury verdict or admitted by the defendant[.]" *Id.* at 228. In fact, the question presented in Booker is the exact constitutional violation that occurred below; the Sixth Amendment was violated by the imposition of an enhanced sentence under the United States Sentencing Guidelines based on the sentencing judge's determination of a fact other than a prior conviction, not found by the jury or admitted by the defendant. *See id.* at 245. In *Booker* the Court answered in the affirmative. *Id.* However, subsequent Third circuit precedent somehow manages to disregard the Court's clear precedent and conclude that "[t]hough post-conviction judicial fact-finding determines the amount of restitution a defendant must pay, a restitution order does not punish a defendant beyond the 'statutory maximum' as that term has evolved in the Supreme Court's Sixth Amendment jurisprudence. . . . There can therefore be no Booker violation in the imposition of restitution under the [Victim and Witness Protection Act] or the [Mandatory Victims Restitution Act]." *United States v. Leahy*, 438 F.3d 328, 337 (3d Cir. 2006). In rendering its Decision below, the Third circuit extended that logical fallacy to the Sentencing Guidelines. (App.5a.) The decision below violates the clear command of *Alleyne v. United States*, 570 U.S. 99 (2013), to wit: any factor that increases the punishment imposed on a defendant must be found by a jury. The decisions below violate this clear line of precedent. Summary reversal is appropriate.

C. **The Third Circuit Opinion Conflicts With the Sixth Amendment Right to a Jury Trial in Upholding the District Court's Final Instruction to the Jury that "Interference with Commerce by Robbery is a Crime of Violence" Where the Government's Theory of Liability Was Not Specified**

The Writ must be granted because the decisions below do violence to this Court's decision in *United States v. Davis*, 139 S.Ct. 2319 (2019). In its final instructions to the jury the District Court usurped the jury's fact-finding role by instructing:

> . . . interference with commerce by robbery is a crime of violence.

(*See* App.4a.) The Court then left to the jury the determination of whether any co-Defendant had committed the underlying crime. Finally, the District Court instructed that any co-Defendant can be convicted on Count III due to that Defendant's participation in the underlying conspiracy. This is more than an improper instruction on a single element of an offense. The District Court's final instructions on Count III are erroneous on their face, usurp from the jury its role as fact-finder and create unfair prejudice against the co-Defendants.

The Government did not specify whether it was proceeding according to, and the District Court did not specify whether its finding was based on § 924(c)(3)(A) or § 924(c)(3)(B) of Title 18. By usurping the jury's fact-finding function there is no basis to say that the jury's verdict was based on one section or the other. In *Davis*, the Court grappled with the circumstances under which a jury would be able to find that a felony constitutes a crime of violence. *See, e.g., Davis*, 139 S.Ct. at 2331. Ultimately, the Court held § 924(c)(3)(B) to be unconstitutionally vague. *Id.* at 2336. In allowing the case to go to the jury without the Government having to specify its theory of liability, the District Court and the Third Circuit run afoul of *Davis*. Summary reversal is appropriate here too.

CONCLUSION

The Writ should be granted. On the first issue, the Third Circuit created a circuit split and violated this Court's clear precedent established in *Cuyler v. Sullivan*, 446 U.S. 335

(1980), when it held that *Sullivan* does not apply to a concurrent representation of the Defendant and the Government's key witness where that representation occurs during critical stages of the trial proceedings, yet end before the trial itself.

On the second issue the Court may consider summary reversal because the Third Circuit's decision is completely foreclosed by this Court's decision in *Alleyne v. United States*, 570 U.S. 99 (2013) and its progeny.

On the third issue, the Writ should be granted or summary reversal considered because the lower courts violated the Sixth Amendment in finding and upholding the final instruction to the jury that "interference with commerce by robbery is a crime of violence" where the Government did not specify whether liability was predicated upon Title 18, section § 924(c)(3)(A) or § 924(c)(3)(B) of the United States Code.

For these foregoing reasons the Supreme Court of the United States should grant the Petition for a Writ of Certiorari.

Respectfully submitted,

THE BOYKIN LAW FIRM, PLLC

Date: **June 22, 2022**

By: ***s/ Namosha Boykin***

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