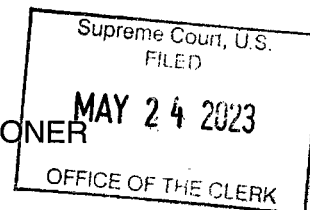


No. 22-7631

IN THE  
SUPREME COURT OF THE UNITED STATES

Terrell McGice Sr. — PETITIONER  
(Your Name)



vs.

USA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Court of Appeals for the 7th Cir.  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Terrell McGice Sr.  
(Your Name)

P.O. Box 879 Ayer Mass 01432  
(Address)

Ayer, Mass 01432  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

### QUESTION(S) PRESENTED

Whether a change in law may be an extraordinary and compelling reason for Compassionate Release if it's not Retroactive?

Does the Sentencing disparities between 924c defendants before and after the First Step Act constitute <sup>Extra-</sup>ordinary and Compelling reasons for Compassionate Release even the changes are not RetroActive.

## LIST OF PARTIES

☐ All parties appear in the caption of the case on the cover page.

☒ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Rachelle Crowe  
Angela Scott

## RELATED CASES

United States V. Haynes 7<sup>th</sup> Cir 456 F.Supp.3d 496  
Gall v. United States 552 U.S. 38 (2007)  
Kimbrough v. United States 552 U.S. 85 (2007)  
United States V. Barbee 25 F.4<sup>th</sup> 531 (7<sup>th</sup> Cir. 2022)  
United States V. Broadfield 5 F.4<sup>th</sup> 801 (7<sup>th</sup> Cir 2021)  
United States v. Clemons 2022 WL 1436807  
United States V. Owens 996 F.3d 755, 763 (6<sup>th</sup> Cir. 2021)  
United States v. McGee 992 F.3d 1035, 1047-1048 (10<sup>th</sup> Cir  
United States V. McCoy 981 F.3d 221 (4<sup>th</sup> Cir 2020)

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18 USC 1951 & 2

18 USC 924c & 2

OTHER

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix B to the petition and is

☐ reported at \_\_\_\_\_; or,  
☒ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☒ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

## JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was March 29, 2023.

☒ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was \_\_\_\_\_.  
A copy of that decision appears at Appendix \_\_\_\_\_.

☐ A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**



## STATEMENT OF THE CASE

The Court should grant Certiorari to resolve the Circuit Split on whether the Change to 18 USC 924c and the sentence disparities constitute extraordinary and compelling reasons.

**REASONS FOR GRANTING THE PETITION**

Because there is a Circuit Split among  
the Lower Courts on the issues

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Terrell M. Gubert

Date: 5/15/23