

IN THE SUPREME COURT OF THE UNITED STATES

No. 24-351

UNITED STATES POSTAL SERVICE, ET AL., PETITIONERS

v.

LEBENE KONAN

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

MOTION FOR LEAVE TO DISPENSE WITH
PREPARATION OF A JOINT APPENDIX

Pursuant to Rule 26.8 of this Court, the Solicitor General, on behalf of the United States Postal Service and the United States, respectfully seeks leave to dispense with the requirement of a joint appendix in this case. The question presented is whether a plaintiff's claim that she and her tenants did not receive mail because Postal Service employees intentionally did not deliver it to a designated address arises out of "the loss" or "miscarriage" of letters or postal matter within the meaning of the postal exception to the Federal Tort Claims Act's waiver of sovereign immunity. 28 U.S.C. 2680(b). The opinion of the court

of appeals, the opinion of the district court, the order of the court of appeals denying rehearing en banc, and the operative complaint are appended to the petition for a writ of certiorari. In our view, no other portion of the record merits special attention such as would warrant the preparation and expense of a joint appendix, and preparation of a joint appendix would not materially assist this Court's consideration of this case. We are authorized to state that counsel for respondent agrees that a joint appendix is not necessary.

Respectfully submitted.

D. JOHN SAUER
Solicitor General
Counsel of Record

JUNE 2025