

No. 24-482

In the Supreme Court of the United States

HOLSEY ELLINGBURG, JR.,

Petitioner,

v.

UNITED STATES,

Respondent.

**MOTION FOR LEAVE TO DISPENSE
WITH PREPARATION OF A JOINT APPENDIX**

Pursuant to Supreme Court Rule 26.8, Petitioner respectfully moves for leave to dispense with the requirement of filing a joint appendix in this case. Both Respondent and the amicus curiae appointed to defend the judgment below agree that a joint appendix is not necessary.

This case presents a purely legal question: Whether criminal restitution under the Mandatory Victim Restitution Act (MVRA) is penal for purposes of the Ex Post Facto Clause. The opinion below and other relevant parts of the record below are included in the appendix 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 a joint appendix would not materially assist the Court in its consideration of this case.

Respectfully submitted,

/s/ Lisa S. Blatt

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