

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

SUMNER SQUARE
1615 M STREET, N.W.
SUITE 400
WASHINGTON, D.C. 20036-3215

(202) 326-7900

FACSIMILE:
(202) 326-7999

May 12, 2025

By Hand and E-Filing

The Honorable Scott S. Harris
Clerk of the Court
United States Supreme Court
One First Street, N.E.
Washington, D.C. 20543

Attn: Danny Bickell, Esq.

Re: *Rutherford v. United States*, No. 24-820

Dear Mr. Harris:

As counsel of record for petitioner Daniel Rutherford, and pursuant to this Court's Rule 15.5, I write to waive the 14-day waiting period for distribution and request that the petition, the government's brief in response, and *amici's* briefs be distributed to the Court on the next scheduled distribution date, May 13, 2025, for the May 29 conference. We intend to file a reply brief but do not want distribution to be delayed.

We also wish to bring to the Court's attention that this case seeks review of the same decision below as in *Carter v. United States*, No. 24-860. Carter's petition is proceeding on the same schedule as Rutherford's petition. The Clerk may wish to have the petitions considered together.

Thank you for your assistance. If you have any questions, please call me at (202) 326-7986.

Very truly yours,



Justin B. Berg
Counsel of Record for Petitioner

cc: Counsel for Respondent