

No. 24-820

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IN THE SUPREME COURT OF THE UNITED STATES

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DANIEL RUTHERFORD,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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**MOTION TO DISPENSE WITH THE REQUIREMENT  
OF A JOINT APPENDIX**

Pursuant to Rules 21 and 26.8 of the Rules of this Court, petitioner Daniel Rutherford respectfully moves for leave to dispense with the requirement of a joint appendix in this case. Counsel for respondent the United States has authorized us to state that it concurs in this motion.

This case presents the question whether courts may consider disparities created by the First Step Act of 2018’s prospective changes in sentencing law when deciding whether “extraordinary and compelling reasons” warrant a sentence reduction under the compassionate-release statute, 18 U.S.C. § 3582(c)(1)(A)(i). The appendix to Rutherford’s petition for certiorari includes the opinions of the court of appeals and the district court, and the relevant statutory provisions. The parties believe that all the “materials the Court should examine” are contained in the appendix to the petition for a writ of certiorari and in the record below, which is “on file with the Clerk and available to the Justices.” Sup. Ct. R. 26.2. The parties do not believe that other portions of the record merit the kind of special attention

that would warrant the preparation and expense of a joint appendix. Nor do they believe that a separate joint appendix would materially assist the Court's consideration of this case.

Rutherford accordingly requests, with the concurrence of the United States, that the Court grant leave to dispense with the printing of a joint appendix.

Respectfully submitted,



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JUSTIN B. BERG  
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