

No. 24-860

IN THE SUPREME COURT OF THE UNITED STATES

JOHNNIE MARKEL CARTER,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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

Under Rules 21 and 26.8 of the Rules of this Court, petitioner Johnnie Markel Carter respectfully moves for leave to dispense with the requirement of a joint appendix in this case. Having conferred, counsel for respondent the United States agrees that a joint appendix is unnecessary and has authorized counsel for Petitioner to file this motion.

This case presents the question whether the Sentencing Commission acted within its expressly delegated authority by describing what constitutes “extraordinary and compelling reasons” warranting a sentence reduction under 18 U.S.C. § 3582(c)(1)(A)(i) in the context of nonretroactive changes in the law. The appendix to Carter’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.

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

July 8, 2025

Respectfully submitted,

/s/ David A. O’Neil
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