

IN THE SUPREME COURT OF THE UNITED STATES

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No. 17-1672

UNITED STATES OF AMERICA, PETITIONER

v.

ANDRE RALPH HAYMOND

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

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MOTION FOR LEAVE TO DISPENSE WITH  
PREPARATION OF A JOINT APPENDIX

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Pursuant to Rule 26.8 of the Rules of this Court, the Solicitor General, on behalf of the United States, respectfully seeks leave to dispense with the requirement of a joint appendix in this case. The question presented is whether provisions of 18 U.S.C. 3583(k) that required the revocation of respondent's supervised release and his reimprisonment for at least five years are facially invalid under the Fifth and Sixth Amendments. The opinions of the district court and the court of appeals 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 the Court's consideration of the case. We are authorized to state that counsel for respondent agrees that a joint appendix is not necessary.

Respectfully submitted.

NOEL J. FRANCISCO  
Solicitor General  
Counsel of Record

DECEMBER 2018