

No. 17-6344

IN THE SUPREME COURT OF THE UNITED STATES

JERRY N. BROWN,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

**MOTION TO DEFER CONSIDERATION
OF THE PETITION FOR CERTIORARI**

Mr. Brown requests that this Court defer consideration of his petition for certiorari. In support of this motion, Mr. Brown states the following:

This Court should defer consideration of the certiorari petition, because “the Government agrees that pending en banc [*Naylor*] proceedings in the Eighth Circuit may determine whether petitioner remains eligible for an ACCA sentence.”

Solicitor’s brief, pg. 8. Based on this concession, it is respectfully submitted that this petition should be stayed, to wait for the Eighth Circuit’s *en banc* decision in *United States Naylor*, 16-2047.

In his reply brief, Mr. Brown states further reasons why this Court should grant this motion to defer consideration (which will not needlessly be duplicated herein). This reply brief is being filed contemporaneously with this motion.

CONCLUSION

For the foregoing reasons, Mr. Brown’s motion to defer consideration of the petition for certiorari should be granted.

Respectfully submitted,

Dan Goldberg
Western District of Missouri
818 Grand, Suite 300
Kansas City, Missouri 64106
(816) 471-8282
Attorney for Petitioner