

IN THE SUPREME COURT OF THE UNITED STATES

No. 17-765

UNITED STATES OF AMERICA, PETITIONER

v.

VICTOR J. STITT, II

No. 17-766

UNITED STATES OF AMERICA, PETITIONER

v.

JASON DANIEL SIMS

ON WRITS OF CERTIORARI
TO THE UNITED STATES COURTS OF APPEALS
FOR THE SIXTH AND EIGHTH CIRCUITS

MOTION FOR LEAVE TO DISPENSE WITH
PREPARATION OF A JOINT APPENDIX

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 these cases. The question presented in these cases, which have been consolidated for briefing and argument, is whether burglary

of a nonpermanent or mobile structure that is adapted or used for overnight accommodation can qualify as "burglary" under the Armed Career Criminal Act of 1984, 18 U.S.C. 924(e)(2)(B)(ii). The opinions of the courts of appeals are included in the appendices to the petitions for writs 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 cases. We are authorized to state that counsel for respondents agree that a joint appendix is not necessary.

Respectfully submitted.

NOEL J. FRANCISCO
Solicitor General
Counsel of Record

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