

No. 17-8663

IN THE SUPREME COURT OF THE UNITED STATES

ANTHONY STEVEN HALL, JR., PETITIONER

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

MEMORANDUM FOR THE UNITED STATES

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Petitioner contends that the court of appeals erred in determining that his prior conviction for second-degree robbery, in violation of Texas law, was a conviction for a "violent felony" under the elements clause of the Armed Career Criminal Act of 1984 (ACCA), 18 U.S.C. 924(e) (2) (B) (i). To the extent that the petition for a writ of certiorari could be construed to argue (Pet. 8-9) that the force required to commit the Texas robbery offense is insufficient to qualify as "physical force" under the elements clause, 18 U.S.C. 924(e) (2) (B) (i), that issue relates to the issue currently before this Court in Stokeling v. United States, cert. granted, No. 17-5554 (Apr. 2, 2018), which will address whether a

defendant's prior conviction for robbery under Florida law satisfies the ACCA's elements clause. Because the proper disposition of the petition for a writ of certiorari may be affected by the Court's resolution of Stokeling, the petition should be held pending that decision and then disposed of as appropriate in light of that decision.*

Respectfully submitted.

NOEL J. FRANCISCO
Solicitor General
Counsel of Record

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* The government waives any further response to the petition for a writ of certiorari unless this Court requests otherwise.