

No. 17-9221

IN THE SUPREME COURT OF THE UNITED STATES

DONOVAN LETRELL HALL, PETITIONER

v.

UNITED STATES OF AMERICA

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

MEMORANDUM FOR THE UNITED STATES

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Petitioner contends that the Double Jeopardy Clause barred his federal prosecution for possession of a firearm by a felon, in violation of 18 U.S.C. 922(g)(1), because he had previously been convicted in North Carolina state court for possession of a firearm by a felon, in violation of N.C. Gen. Stat. § 14-415.1 (LexisNexis 2017), where both prosecutions stemmed from the same underlying conduct. On June 28, 2018, this Court granted certiorari in Gamble v. United States, No. 17-646, to consider whether to overrule the Court's precedent holding that the Double Jeopardy Clause does not prohibit successive prosecutions by separate sovereign governments. Because the Court's decision in Gamble may affect

the proper disposition of the petition for a writ of certiorari, the petition in this case should be held pending the decision in Gamble and then disposed of as appropriate in light of that decision.*

Respectfully submitted.

NOEL J. FRANCISCO
Solicitor General

AUGUST 2018

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