

IN THE SUPREME COURT OF THE UNITED STATES

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No. 19-5410

CHARLES BORDEN, PETITIONER

v.

UNITED STATES OF AMERICA

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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 this Court, petitioner respectfully seeks leave to dispense with the requirement of a joint appendix in this case. Petitioner is authorized to state that counsel for the United States agrees that a joint appendix is unnecessary.

The question presented is whether a criminal offense that can be committed with a mens rea of recklessness can qualify as a "violent felony" under the Armed Career Criminal Act, 18 U.S.C. 924(e). The opinion of the United States Court of Appeals for the Sixth Circuit and the judgment of the United States District Court for the Eastern District of Tennessee are included in the appendix to the petition for a writ of certiorari. The parties do not believe that any other portion of the record merits special attention that warrants the preparation and expense of a joint appendix. Accordingly, a separate joint appendix would not materially assist in the Court's consideration of the case. For the foregoing reasons, the motion to dispense with the requirement of a joint appendix should be granted.

Respectfully submitted.



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March 22, 2020