

No. 21-\_\_\_\_

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IN THE  
**Supreme Court of the United States**

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JOEL IVERSON GILBERT,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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**On Petition For A Writ of Certiorari  
To The United States Court of Appeals  
For the Eleventh Circuit**

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**PETITION FOR A WRIT OF CERTIORARI**

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## **QUESTIONS PRESENTED**

1. Whether, in a bribery prosecution based on issue-advocacy payments that would otherwise enjoy First Amendment protection, the Government must prove that the payments were explicitly linked to official action.

2. Whether a jury must be instructed that merely “expressing support” for a policy cannot support conviction under the federal bribery laws.

**PARTIES TO THE PROCEEDING**

Petitioner, who was an Appellant in the Eleventh Circuit, is Joel Iverson Gilbert.

Respondent, who was an Appellee in the Eleventh Circuit, is the United States of America.

David Lynn Roberson was also an Appellant in the Eleventh Circuit, and his petition for a writ of certiorari is pending in Case No. 21-605.

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### **OPINION BELOW**

The decision of the United States Court of Appeals for the Eleventh Circuit affirming petitioner's judgment of conviction (Pet.App.1a) is reported at 998 F.3d 1237.

### **JURISDICTION**

The Eleventh Circuit issued its opinion and entered judgment on May 27, 2021 and denied a petition for rehearing on August 21, 2021. Pet.App.1a, 43a. This Court has jurisdiction under 28 U.S.C. § 1254(1).

### **PROVISIONS INVOLVED**

The relevant statutory provisions (18 U.S.C. §§ 666, 1343, and 1346) are reproduced in relevant part at Pet.App.45a.

### **STATEMENT**

Petitioner adopts the Statement contained in the Petition for Writ of Certiorari that was filed by Petitioner David Lynn Roberson in Case No. 21-605 ("Roberson.Pet."). *See* Roberson.Pet. at 5-13.

### **REASONS FOR GRANTING THE WRIT**

Petitioner adopts the Reasons for Granting the Writ contained in the Petition for Writ of Certiorari that was filed by Petitioner David Lynn Roberson in Case No. 21-605. *See* Roberson.Pet. at 13-35.

**CONCLUSION**

This Court should grant the petition.

November 10, 2021

Respectfully Submitted,

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