

No. 25-\_\_\_\_\_

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In the  
**Supreme Court of the United States**

JARON BURNETT,

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

On Petition for a Writ of Certiorari to the  
United States Court of Appeals for the Third Circuit

**PETITIONER'S APPENDIX**

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August 18, 2025

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**APPENDIX A**

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

CCO-089

No. 24-3270

UNITED STATES OF AMERICA

v.

JARON BURNETT

a/k/a Jay Burns

a/k/a JR

a/k/a Big Show,

Appellant

(D.N.J. No. 1:07-cr-00427-001)

Present: KRAUSE, MATEY, and SCIRICA, Circuit Judges

1. Motion by Appellee to Enforce Appellate Waiver and for Summary Affirmance.

Respectfully,  
Clerk/pdb

ORDER

The foregoing motion is GRANTED.

By the Court,

s/ Cheryl Ann Krause  
Circuit Judge

Dated: May 20, 2025  
Gch/cc: All Counsel of Record

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT

CLERK



UNITED STATES COURT OF APPEALS

21400 UNITED STATES COURTHOUSE  
601 MARKET STREET

PHILADELPHIA, PA 19106-1790

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May 20, 2025

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RE: USA v. Jaron Burnett  
Case Number: 24-3270  
District Court Case Number: 1:07-cr-00427-001

ENTRY OF JUDGMENT

Today, **May 20, 2025**, the Court issued a case dispositive order in the above-captioned matter which serves as this Court's judgment. Fed. R. App. P. 36.

If you wish to seek review of the Court's decision, you may file a petition for rehearing. The procedures for filing a petition for rehearing are set forth in Fed. R. App. P. 35 and 40, 3rd Cir. LAR 35 and 40, and summarized below.

Time for Filing:

14 days after entry of judgment.

45 days after entry of judgment in a civil case if the United States is a party.

Form Limits:

3900 words if produced by a computer, with a certificate of compliance pursuant to Fed. R. App. P. 32(g).

15 pages if hand or type written.

Attachments:

A copy of the panel's opinion and judgment only.

Certificate of service.

Certificate of compliance if petition is produced by a computer.

No other attachments are permitted without first obtaining leave from the Court.

Unless the petition specifies that the petition seeks only panel rehearing, the petition will be construed as requesting both panel and en banc rehearing. A party seeking both forms of rehearing must file the petitions as a single document. Fed. R. App. P. 40(a).

Please consult the Rules of the Supreme Court of the United States regarding the timing and requirements for filing a petition for writ of certiorari.

Very truly yours,

Patricia S. Dodszuweit, Clerk

By: s/Pamela/gch

Case Manager

267-299-4943

## APPENDIX B

1

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **FOR THE DISTRICT OF NEW JERSEY**

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3                   **UNITED STATES OF AMERICA,**

**CRIMINAL ACTION NUMBER:**

4                   **vs.**

**1:07-cr-00427-RMB-1**

5                   **JARON BURNETT,**

**Final Revocation Hearing -**

6                                   **Defendant.**

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**Continued and Sentencing**

7  
8 Mitchell H. Cohen Building & U.S. Courthouse  
9 4th and Cooper Streets  
10 Camden, New Jersey 08101  
11 Wednesday, November 20, 2024  
12 Commencing at 10:42 a.m.

13                   **B E F O R E:**

**THE HONORABLE RENÉE MARIE BUMB,  
CHIEF UNITED STATES DISTRICT JUDGE**

14                   **A P P E A R A N C E S:**

15 OFFICE OF THE UNITED STATES ATTORNEY  
16 BY: KRISTEN M. HARBERG, ASSISTANT UNITED STATES ATTORNEY  
17 401 Market Street, 4th Floor  
18 Camden, New Jersey 08101  
19 For the United States

20 OFFICE OF THE FEDERAL PUBLIC DEFENDER  
21 BY: AREEB SALIM, ASSISTANT FEDERAL PUBLIC DEFENDER  
22 1002 Broad Street  
23 Newark, New Jersey 07102  
24 For the Defendant

25                                   John J. Kurz, Federal Official Court Reporter  
                                      John\_Kurz@njd.uscourts.gov  
                                      (856) 576-7094

                                  Proceedings recorded by mechanical stenography; transcript  
                                  produced by computer-aided transcription.

**A L S O P R E S E N T :**

Jaron Burnett, The Defendant

Dolores Annie Cruz, U.S. Probation Office

Dave Bruey, The Courtroom Deputy

Michael O'Leary, Judicial Law Clerk

William Bonnell, Paralegal, U.S. Attorney's Office

1 to meet that statute for menacing by a preponderance of the  
2 evidence.

3 So, Your Honor, unless you have any other questions  
4 for me, the government would rest on that.

5 THE COURT: Okay. Thank you.

6 Mr. Salim.

7 MR. SALIM: Thank you, Your Honor.

8 I'll keep this brief and just incorporate all of the  
9 written submissions to the Court.

10 The government basically presents three arguments.  
11 The first one being that Mr. Burnett's *Apprendi* and *Haymond*  
12 argument is foreclosed by Third Circuit law. Mr. Burnett  
13 concedes that in his briefing and he concedes it now. The  
14 reason why Mr. Burnett wants to sustain this objection is  
15 because of an ongoing "cert petition" that may result in a  
16 Supreme Court decision that provides for a jury trial right in  
17 supervised release cases wherein an individual may serve past  
18 their underlying maximum in custody.

19 So that is purely an objection for appeal pending the  
20 Supreme Court decision.

21 THE COURT: All right. So the objection is  
22 overruled, but preserved.

23 MR. SALIM: Okay. The second, in terms of all the  
24 violations, so as noted in briefing, Mr. Burnett did not make a  
25 hearsay argument against Violations 1, 2 and 8. So basically



**APPENDIX C**  
**UNITED STATES DISTRICT COURT**  
**District of New Jersey**

UNITED STATES OF AMERICA

v.

**CASE NUMBER 1:7-CR-00427-RMB-1**

JARON BURNETT

Defendant.

**JUDGMENT IN A CRIMINAL CASE**  
**(For Revocation of Probation or Supervised Release)**  
**(For Offenses Committed On or After November 1, 1987)**

The defendant, JARON BURNETT, was represented by AREEB SALIM, AFPD.

Violation number 6 has been dismissed.

The Court found the defendant not guilty as to violation(s) 3,4,5 and 7.

The defendant was found in violation of number(s) 1,2 and 8 after a hearing by the court. Accordingly, the court has adjudicated that the defendant is guilty of the following violation(s):

<u><b>Violation Number</b></u>	<u><b>Nature of Violation</b></u>
1	Unsuccessfully Discharged from a Mental Health Program
2	Failure to participate in an Inpatient Treatment Program
8	Failure to notify PO of arrest or questioning

As pronounced on November 20, 2024, the defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material change in economic circumstances. Unless modified by this judgment, all fines, restitution, costs, and special assessments previously imposed in the judgment filed on 3/17/2009 remain in full force and effect, if not already paid.

Signed this 22nd day of November, 2024.



Renée Marie Bumb  
Chief U.S. District Judge

Defendant: JARON BURNETT  
Case Number: 1:7-CR-00427-RMB-1

### IMPRISONMENT

It is ordered and adjudged that the previously imposed term of supervised release is revoked and the defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 14 months. The term of imprisonment imposed by this judgment will run concurrent to your imprisonment under any previous state or federal sentence.

The defendant will remain in custody pending service of sentence.

### RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ To \_\_\_\_\_  
At \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: JARON BURNETT  
Case Number: 1:7-CR-00427-RMB-1

## **SUPERVISED RELEASE**

Upon release from imprisonment, you will be on supervised release for a term of 6 years.

Within 72 hours of release from custody of the Bureau of Prisons, you must report in person to the Probation Office in the district to which you are released.

While on supervised release, you must not commit another federal, state, or local crime, must refrain from any unlawful use of a controlled substance and must comply with the mandatory and standard conditions that have been adopted by this court as set forth below.

You must submit to one drug test within 15 days of commencement of supervised release and at least two tests thereafter as determined by the probation officer. You must cooperate in the collection of DNA as directed by the probation officer.

If this judgment imposes a fine, special assessment, costs, or restitution obligation, it is a condition of supervised release that you pay any such fine, assessments, costs, and restitution that remains unpaid at the commencement of the term of supervised release.

You must comply with the following special conditions:

### **ALCOHOL/DRUG TESTING AND TREATMENT**

You must refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and must submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you must submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You must abide by the rules of any program and must remain in treatment until satisfactorily discharged by the Court. You must alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The U.S. Probation Office will supervise your compliance with this condition.

### **COMPUTER MONITORING**

You must submit to an initial inspection by the U.S. Probation Office, and to any unannounced examinations during supervision, of your computer equipment. This includes, but is not limited to, personal computers, personal digital assistants, entertainment consoles, cellular telephones, and/or any electronic media device which is owned or accessed by you. You must allow manual searches of these devices and the installation on your computer of any hardware or software systems which monitor computer use. You must pay the cost of the computer monitoring program. You may use a computer in connection with employment if approved by the U.S. Probation Office, provided you notify your employer of the nature of your conviction and any computer related restrictions that are imposed on you. The U.S. Probation Office will confirm your compliance with this notification requirement.

### **MENTAL HEALTH TREATMENT**

You must undergo treatment in a mental health program approved by the U.S. Probation Office until discharged by the Court. As necessary, said treatment may also encompass treatment for gambling, domestic violence and/or anger management, or sex offense-specific treatment, as approved by the U.S. Probation Office, until discharged by the Court. The U.S. Probation Office will supervise your compliance with this condition.

### **RESTRICTED CONTACT WITH MINORS**

With the exception of brief, unanticipated and incidental contacts, you must not associate with children under the age of 18, except for family members or children in the presence of an adult who has been approved by the U.S. Probation Officer. You must not obtain employment or perform volunteer work which includes, as part of its job/work description, contact with minor children, without the expressed approval of the U.S. Probation Office. You must not maintain, within your residence or within any outside establishment within your control or custody, a collection of

Defendant: JARON BURNETT  
Case Number: 1:7-CR-00427-RMB-1

digital images or videos, films, slides, pictures, tapes, videotapes or other form of pictorial representation whose subject matter involves minor children of either sex and can be deemed to be pornographic. The U.S. Probation Office will have the right of reasonable search of your person and residence, or any other establishment within your custody or control, and will, if necessary, request the assistance of other law enforcement personnel to enforce the provisions of this special condition.

#### POLYGRAPH EXAMINATION

You must submit to an initial polygraph examination and subsequent maintenance testing, at intervals to be determined by the U.S. Probation Office, to assist in treatment, planning, and case monitoring. You will be required to contribute to the costs of services rendered in an amount to be determined by the U.S. Probation Office, based on ability to pay or availability of third-party payment.

Defendant: JARON BURNETT  
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## STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

- 1) You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
- 2) After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
- 3) You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
- 4) You must answer truthfully the questions asked by your probation officer.
- 5) You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
- 6) You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
- 7) You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have fulltime employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
- 8) You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
- 9) If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
- 10) You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
- 11) You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
- 12) If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.

Defendant: JARON BURNETT  
Case Number: 1:7-CR-00427-RMB-1

### STANDARD CONDITIONS OF SUPERVISION

13) You must follow the instructions of the probation officer related to the conditions of supervision.

*For Official Use Only - - - U.S. Probation Office*

Upon a finding of a violation of probation or supervised release, I understand that the Court may (1) revoke supervision or (2) extend the term of supervision and/or modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions, and have been provided a copy of them.

You shall carry out all rules, in addition to the above, as prescribed by the Chief U.S. Probation Officer, or any of his associate Probation Officers.

(Signed) \_\_\_\_\_  
Defendant Date

\_\_\_\_\_  
U.S. Probation Officer/Designated Witness Date