

NO: 25-5968

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IN THE  
SUPREME COURT OF THE UNITED STATES

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MARK WHEELER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

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Suggestion of Death and Motion to Dismiss Petition

BYRON CONWAY  
Federal Public Defender

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## **I. Suggestion of Death**

Counsel for Petitioner hereby gives notice of the death of Petitioner Mark Wheeler. Counsel was notified on January 2, 2026 and received a copy of the certificate of death on January 23, 2026.

## **II. Motion for Dismissal**

In accordance with the Court's decision in *Dove v. United States*, 423 U.S. 325 (1976), counsel respectfully moves that the pending Petition for Writ of Certiorari be dismissed.

Respectfully submitted this 27<sup>th</sup> day of January, 2026.

**BYRON CONWAY  
Federal Public Defender  
Middle District of Georgia**

*/s/ Jessica Lee*  
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