

NO: 25-5968

IN THE
SUPREME COURT OF THE UNITED STATES

MARK WHEELER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

Suggestion of Death and Motion to Dismiss Petition

BYRON CONWAY
Federal Public Defender

JESSICA LEE
Assistant Federal Public Defender
Federal Defenders of the Middle
District of Georgia, Inc.
233 12th Street
Suite 400
Columbus, GA 31901
706-358-0030

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 27th day of January, 2026.

BYRON CONWAY
Federal Public Defender
Middle District of Georgia

/s/ Jessica Lee
JESSICA LEE
Assistant Federal Public Defender
Federal Defenders of the Middle
District of Georgia, Inc.
233 12th Street
Suite 400
Columbus, GA 31901
706-358-0030

Attorney for Petitioner