

No. 25-6008

IN THE SUPREME COURT OF THE UNITED STATES

ANDRE EDWARDS SANCHEZ, PETITIONER

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

MEMORANDUM FOR THE UNITED STATES

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Petitioner contends (Pet. 9-20) that 18 U.S.C. 922(g)(3), the federal statute that prohibits a person from possessing a firearm if he “is an unlawful user of or addicted to any controlled substance,” ibid., violates the Second Amendment facially and as applied to him and is void for vagueness. This Court is currently considering an as-applied Second Amendment challenge to Section 922(g)(3) in United States v. Hemani, cert. granted, No. 24-1234 (Oct. 20, 2025). The resolution of Hemani could affect the proper resolution of the as-applied Second Amendment challenge in this case. The Court should therefore hold the petition for a writ of

certiorari in this case pending the resolution of Hemani and then dispose of the petition as appropriate.*

Respectfully submitted.

D. JOHN SAUER
Solicitor General

JANUARY 2026

* The government waives any further response to the petition for a writ of certiorari unless this Court requests otherwise.