

No. 25-6710

IN THE SUPREME COURT OF THE UNITED STATES

JOSE RAMON CASTILLO-LOPEZ, 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. i, 6-7) that he should be permitted to appeal the district court's decision not to run petitioner's federal sentence concurrently with an expected state court sentence notwithstanding a provision in his plea agreement waiving the right to appeal his sentence, subject to certain exceptions not applicable to that claim. See Pet. App. 43a-44a. This Court granted a writ of certiorari in Hunter v. United States, No. 24-1063 (argued Mar. 3, 2026), to consider, inter alia, the potential circumstances under which a defendant may appeal his sentence despite an appeal waiver in his plea agreement. Because the

Court's decision in Hunter could conceivably affect the proper disposition of the petition for a writ of certiorari, the petition in this case could be held pending the decision in Hunter and then disposed of as appropriate in light of that decision.*

Respectfully submitted.

D. JOHN SAUER
Solicitor General

APRIL 2026

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