

No. 26-5201

IN THE SUPREME COURT OF THE UNITED STATES

RANDOLPH BULLOCK, PETITIONER

v.

UNITED STATES OF AMERICA

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

MEMORANDUM FOR THE UNITED STATES

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Petitioner contends (Pet. 4-7) that the court of appeals incorrectly relied on commentary to Sentencing Guidelines § 2G2.2(b)(5) in upholding a sentencing enhancement based on his “pattern” of activity involving the sexual abuse of minors. See Pet. App. 12-19; see also Sentencing Guidelines § 2G2.2, comment. (n.1). This Court has granted a writ of certiorari in Beaird v. United States, No. 25-5343 (oral argument scheduled for Oct. 13, 2026), to consider whether Stinson v. United States, 508 U.S. 36 (1993), still correctly states the rule for the deference that courts must give the commentary to the Sentencing Guidelines.

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

Respectfully submitted.

D. JOHN SAUER
Solicitor General

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