

23-370 ERLINGER V. UNITED STATES

DECISION BELOW: 77 F.4th 617

LOWER COURT CASE NUMBER: 22-1926

QUESTION PRESENTED:

Whether the Constitution requires a jury trial and proof beyond a reasonable doubt to find that a defendant's prior convictions were "committed on occasions different from one another," as is necessary to impose an enhanced sentence under the Armed Career Criminal Act, 18 U.S.C. § 924(e)(1).

ORDER OF NOVEMBER 21, 2023:

D. NICK HARPER, ESQUIRE, OF WASHINGTON, D. C., IS INVITED TO BRIEF AND ARGUE THIS CASE, AS AMICUS CURIAE, IN SUPPORT OF THE JUDGMENT BELOW.

CERT. GRANTED 11/20/2023