

In the Supreme Court of the United States

SALVATORE DELLIGATTI,

Petitioner

v.

UNITED STATES OF AMERICA

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

**MOTION FOR LEAVE TO DISPENSE
WITH PREPARATION OF A JOINT APPENDIX**

Pursuant to Supreme Court Rule 26.8, Petitioner respectfully seeks leave to dispense with the requirement of a joint appendix in this case. The Solicitor General agrees that a joint appendix is not necessary and concurs in the filing of this motion.

The question presented is whether a crime that requires proof of bodily injury or death, but can be committed by failing to take action, has as an element the use, attempted use, or threatened use of physical force. The appendix to the petition for a writ of certiorari in this case includes all of the relevant lower court opinions and orders. The parties do not believe that any other portion of the record merits special attention that warrants the preparation and expense of a joint appendix, and preparation of a joint appendix would not materially assist the Court's consideration of this case.

For the foregoing reasons, the motion for leave to dispense with the requirement of a joint appendix should be granted.

Dated: June 13, 2024

Respectfully submitted,



Allon Kedem

Counsel of Record

ARNOLD & PORTER KAYE SCHOLER LLP

601 Massachusetts Avenue, NW

Washington, DC 20001

(202) 942-5000

allon.kedem@arnoldporter.com

Counsel for Petitioner