

No. 24-6415

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IN THE SUPREME COURT OF THE UNITED STATES

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RAHEEM MORRISSETTE, PETITIONER

v.

UNITED STATES OF AMERICA

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

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MEMORANDUM FOR THE UNITED STATES

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SARAH M. HARRIS  
Acting Solicitor General  
Counsel of Record  
Department of Justice  
Washington, D.C. 20530-0001  
SupremeCtBriefs@usdoj.gov  
(202) 514-2217

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Petitioner contends (Pet. 6-17) that 18 U.S.C. 922(g)(1), the federal statute that prohibits a person from possessing a firearm if he has been convicted of “a crime punishable by imprisonment for a term exceeding one year,” ibid., violates the Second Amendment. In United States v. Rahimi, 602 U.S. 680 (2024), this Court clarified the methodology for determining whether a firearms regulation complies with the Second Amendment. Since issuing that decision, the Court has granted certiorari in multiple cases presenting the question whether Section 922(g)(1) violates the Second Amendment, vacated the decisions below, and remanded for further consideration in light of Rahimi. See, e.g., Canada v.

United States, 145 S. Ct. 432 (2024) (No. 24-5391); Hoefl v. United States, 145 S. Ct. 431 (2024) (No. 24-5406); Talbot v. United States, 145 S. Ct. 430 (2024) (No. 24-5258).

The court of appeals issued its decision in this case after Rahimi. But the court explained that it was bound by its decision in United States v. Dubois, 94 F.4th 1284 (11th Cir. 2024), see Pet. App. 5-6, which this Court has vacated and remanded in light of Rahimi, see Dubois v. United States, No. 24-5744, 2025 WL 76413 (Jan. 13, 2025). Vacatur and remand is thus warranted here as well. See Rambo v. United States, No. 24-6107, 2025 WL 581574 (Feb. 24, 2025) (vacating and remanding judgment that was issued after Rahimi but that rested on Dubois).\*

Respectfully submitted.

SARAH M. HARRIS  
Acting 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.