

17-8995 MONT V. UNITED STATES

DECISION BELOW: 723 Fed.Appx. 325

LOWER COURT CASE NUMBER: 17-3732

QUESTION PRESENTED:

Whether a statute directed to the administration of imprisoned individuals serves as authority to alter or suspend the running of a criminal sentence of supervised release, when such "tolling" is without judicial action, and requires the term "imprisonment" as used in the administrative statute, to include pretrial detention prior to an adjudication of guilt. Is a district court required to exercise its jurisdiction in order to suspend the running of a supervised release sentence as directed under 18 U.S.C. §3583(i) prior to expiration of the term of supervised release, when a supervised releasee is in pretrial detention, or does 18 U.S.C. §3624 (e) toll the running of supervised release while in pretrial detention?

CERT. GRANTED 11/2/2018